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PROCLAMATION

*by the State President of the Republic of
South Africa*

No. 83, 1975

**LAPSING OF RESTRICTIVE CONDITIONS
AFFECTING THE USE OR OCCUPATION OF
LAND**

Under the powers vested in me by section 40 read with section 66 (2) of the Housing Act, 1966 (Act 4 of 1966), I hereby direct that the restrictive conditions contained in the Title Deeds of the land belonging to the City Council of Durban and described in the Schedule here-to, shall lapse from the date of publication hereof.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town this Fourth day of March, One thousand Nine hundred and Seventy-five.

J. J. FOUCHÉ, State President.

By Order of the State President-in-Council:

A. H. DU PLESSIS.

SCHEDULE/BYLAE

Description of property/Beskrywing van eiendom

Lot 1 Patchouli Township, situate in the City of Durban, County of Victoria, Province of Natal, in extent Four Thousand and Thirty Four (4 034) square metres.

Title deed/Titelakte

Deed of Transfer No. 807/1954/Transportakte No. 807/1954.

Conditions to be lapsed/Voorwaardes wat verval

Subject to such of the terms and conditions of the original Government Grant thereof No. 787 dated the 1st April, 1847, as are still in force and applicable.

Description of property/Beskrywing van eiendom

Lot 19 Patchouli Township, situate in the City of Durban, County of Victoria, Province of Natal, in extent Nine Hundred and Eighty Two (982) square metres.

Title deed/Titelakte

Deed of Transfer No. 360/1973/Transportakte No. 360/1973.

Conditions to be lapsed/Voorwaardes wat verval

(A) Subject to such of the terms and conditions of the original Government Grant thereof No. 787 dated 1st April, 1847, as are still in force and applicable;

PROKLAMASIE

*van die Staatspresident van die Republiek van
Suid-Afrika*

No. 83, 1975

**VERVAL VAN BEPERKENDE VOORWAARDES
WAT DIE GEBRUIK OF OKKUPASIE VAN
GROND RAAK**

Kragtens die bevoegdheid my verleen by artikel 40 saamgelees met artikel 66 (2) van die Behuisingswet, 1966 (Wet 4 van 1966), gelas ek hierby dat die beperkende voorwaardes vervat in die Transportaktes van die grond wat aan die Stadsraad van Durban behoort en beskryf in die Bylae hiervan, verval vanaf die datum van publikasie hiervan.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hede die Vierde dag van Maart Eenduisend Negehoenderd Vyf-en-sewentig.

J. J. FOUCHÉ, Staatspresident.

Op las van die Staatspresident-in-rade:

A. H. DU PLESSIS.

(B) Subject to the following special conditions imposed thereon by the Administrator of Natal under the provisions of the Private Township and Planning Ordinance, 1934 (Ordinance No. 27 of 1949) as amended and as created in the said Deed of Transfer No. 359/1973 dated evenly herewith namely:

(a) The lot shall not be hypothecated in any manner to any Native or to any company or corporation in which Natives have a controlling interest. The word "Native" shall have the meaning assigned to it in Act 18 of 1936 or any amendment thereof. This condition is constituted in favour of all other lots in the township and in favour of the lot hereby transferred against such other lots and shall be enforceable at the instance of the owner of any one or more of the lots in the township.

(b) The lot shall not be subdivided without the consent of the Administrator.

(c) Except with the consent of the Administrator, the lot shall not be used for other than residential purposes.

(d) No row of tenement houses, boarding house, hotel or block of residential flats and not more than one dwelling house with the necessary outbuildings shall be erected on the lot without the consent of the Administrator.

(e) No building of any kind shall be erected on the lot unless the walls thereof are constructed of burnt brick, stone or concrete or of other permanent and fire-proof material; provided that a building, structure or fence of iron or asbestos sheeting or similar material fixed to a framework of wood or metal shall not be permitted. This condition is constituted in favour of the Administrator until such time as a local authority is established and thereafter in favour of such local authority.

(f) No building whatsoever, unless permitted under exceptional circumstances, shall be erected on the lot within a distance of 7,62 metres from any boundary abutting on a street, nor within a distance of 3,05 metres from any other boundary. This condition is constituted in favour of the Administrator until such time as a local authority is established and thereafter in favour of such local authority. On consolidation of any two or more lots, this condition shall apply to the consolidated area as a whole.

(g) The owner of the lot shall, without compensation, be obliged to permit the erection, laying and maintenance of electric wires and/or water supply piping over or under the lot along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary as well as reasonable access thereto for the purpose of maintenance, removal or extension. This condition is constituted in favour of the Administrator until such time as a local authority is established and thereafter in favour of such local authority. The rights conferred by this condition shall be exercisable by any local authority or other body or person legally authorised to supply electric current or water for the benefit of the inhabitants of the township. If the owner of the lot be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator, whose decision shall be final.

(h) The owner of the lot shall, without compensation, be obliged to permit the construction and maintenance of sewers and drains over or under the lot along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary thereto for the purpose of maintenance, removal or extension and the owner of the lot shall, without compensation, be obliged to allow the sewerage and drainage of any other lot or street to be conveyed along such sewers and drains provided that if the owner of the lot be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator, whose decision shall be final. This condition is constituted in favour of the Administrator until such time as a local authority is established and thereafter in favour of such local authority.

(i) The owner of the lot shall, without compensation, be obliged to permit such deposit of material or excavation on the lot as may in connection with the formation of any street in the township and owing to differences in level between the lot and the street be deemed necessary in order to provide a safe and proper slope to the cut and fill commencing from the boundary of the lot unless he shall elect, at his own cost, to build a retaining wall. This condition is constituted in favour of the Administrator until such time as a local authority is established and thereafter in favour of such local authority.

Description of property/Beskrywing van eiendom

Lot 30 Patchouli Township, situate in the City of Durban, County of Victoria, Province of Natal, in extent One Thousand and Five (1 005) square metres.

Title deed/Titelakte

Deed of Transfer No. 16387/1972/Transportakte No. 16387/1972.

Conditions to be lapsed/Voorwaardes wat vervel

(A) Subject to such of the conditions of the original Government Grant thereof No. 787 dated the 1st April, 1847, as are still applicable;

(B) Subject to the following special conditions imposed thereon by the Administrator of Natal under the provisions of the Private Township and Town Planning Ordinance, 1934 (Ordinance No. 10 of 1934) as amended and as created in the said Deed of Transfer No. 9075/1971, namely:

(a) The lot shall not be subdivided without the consent of the Administrator.

(b) Except with the consent of the Administrator, the lot shall not be used for other than residential purposes.

(c) No row of tenement houses, boarding house, hotel or block of residential flats and not more than one dwelling house with the necessary outbuildings shall be erected on the lot without the consent of the Administrator.

(d) No building of any kind shall be erected on the lot unless the walls thereof are constructed of burnt brick, stone or concrete or of other permanent and fire-proof material; provided that a building, structure or fence of iron or asbestos sheeting or similar material fixed to a framework of wood or metal shall not be permitted. This condition is constituted in favour of the Administrator until such time as a local authority is established and thereafter in favour of such local authority.

(e) No building whatsoever, unless permitted under exceptional circumstances, shall be erected on the lot within a distance of 7,62 metres from any boundary abutting on a street, nor within a distance of 3,05 metres from any other boundary. This condition is constituted in favour of the Administrator until such time as a local authority is established and thereafter in favour of such local authority. On consolidation of any two or more lots, this condition shall apply to the consolidated area as a whole.

(f) The owner of the lot shall, without compensation, be obliged to permit the erection, laying and maintenance of electric wires and/or water supply piping over or under the lot along any boundary thereof other than a road frontage and within a distance of 1,82 metres from such boundary as well as reasonable access thereto for the purpose of maintenance, removal or extension. This condition is constituted in favour of the Administrator until such time as a local authority is established and thereafter in favour of such local authority. The rights conferred by this condition shall be exercisable by any local authority or other body or person legally authorised to supply electric current or water for the benefit of the inhabitants of the township. If the owner of the lot be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator, whose decision shall be final.

(g) The owner of the lot shall, without compensation, be obliged to permit the construction and maintenance of sewers and drains over or under the lot along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary as well as reasonable access thereto for the purpose of maintenance, removal or extension and the owner of the lot shall, without compensation, be obliged to allow the sewerage and drainage of any other lot or street to be conveyed along such sewers and drains provided that if the owner of the lot be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator whose decision shall be final. This condition is constituted in favour of the Administrator until such time as a local authority is established and thereafter in favour of such local authority.

(h) The owner of the lot shall, without compensation, be obliged to permit such deposit of material or excavation on the lot as may in connection with the formation of any street in the township and owing to differences in level between the lot and the street be deemed necessary in order to provide a safe and proper slope to the cut and fill commencing from the boundary of the lot unless he shall elect, at his own cost, to build a retaining wall. This condition is constituted in favour of the Administrator until such time as a local authority is established and thereafter in favour of such local authority.

Description of property/Beskrywing van eiendom

Lot 41 Patchouli Township, situate in the City of Durban, County of Victoria, Province of Natal, in extent One Thousand and Eighty Two (1082) square metres.

Title deed/Titelakte

Deed of Transfer No. 18584/1973/Transportakte No. 18584/1973.

Conditions to be lapsed/Voorwaardes wat vervel

A. Subject to such of the conditions of the original Government Grant thereof No. 787 dated the 1st April 1847, as are still applicable.

B. Subject to the following special conditions imposed thereon by the Administrator of Natal under the provisions of the Private Township and Town Planning Ordinance 1934 (Ordinance No. 10 of 1934) as amended, and as created in said Deed of transfer No. 13069/1965, namely:

(a) The lot shall not be subdivided without the consent of the Administrator.

(b) The lot shall not be hypothecated in any matter to any Native or to any Company or corporation in which natives have a controlling interest. The word "Native" shall have the meaning assigned to it in Act 18 of 1936 or any amendment thereof. This condition is constituted in favour of all other lots in the township and in favour of the lot hereby transferred against such other lots, and shall be enforceable at the instance of the owner of any or more of the lots in the township.

(c) Except with the consent of the Administrator, the lot shall not be used for other than residential purposes.

(d) No row of tenement houses, boarding house, hotel or block or residential flats and not more than one dwelling house with the necessary outbuildings shall be erected on the lot without the consent of the Administrator.

(e) No building of any kind shall be erected on the lot unless the walls thereof are constructed of burnt brick, stone or concrete or of other permanent and fire-proof material; provided that a building, structure or fence or iron or asbestos sheeting or similar material fixed to a framework or wood or metal shall not be permitted. This condition is constituted in favour of the Administrator until such time as a local authority is established and thereafter in favour of such local authority.

(f) No building whatsoever, unless permitted under exceptional circumstances, shall be erected on the lot within a distance of 7,62 metres from any boundary abutting on a street, nor within a distance of 3,05 metres from any other boundary. This condition is constituted in favour of the Administrator until such time as a local authority is established and thereafter in favour of such local authority. On consolidation of any two or more lots, this condition shall apply to the consolidated area as a whole.

(g) The owner of the lot shall, without compensation, be obliged to permit the erection, laying and maintenance of electric wires and/or water supply piping over or under the lot along any boundary thereof other than

a road frontage and within a distance of 1,83 metre from such boundary as well as reasonable access thereto for the purpose of maintenance, removal or extension. This condition is constituted in favour of the Administrator until such time as a local authority is established and thereafter in favour of such local authority. The rights conferred by this condition shall be exercisable by any local authority or other body or person legally authorised to supply electric current or water for the benefit of the inhabitants of the township. If the owner of the lot be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator whose decision shall be final.

(h) The owner of the lot shall, without compensation, be obliged to permit the construction and maintenance of sewers and drains over or under the lot along any boundary thereof other than a road frontage and within a distance of 1,83 metre from such boundary as well as reasonable access thereto for the purpose of maintenance, removal or extension and the owner of the lot shall, without compensation, be obliged to allow the sewerage and drainage of any other lot or street to be conveyed along such sewers and drains provided that if the owner of the lot be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator whose decision shall be final. This condition is constituted in favour of the Administrator until such time as a local authority is established and thereafter in favour of such local authority.

(i) The owner of the lot shall, without compensation, be obliged to permit such deposit of material or excavation on the lot as may, in connection with the formation of any street in the township and owing to differences in level between the lot and the street, be deemed necessary in order to provide a safe and proper slope to the cut and fill commencing from the boundary of the lot unless he shall elect at his own cost to build a retaining wall. This condition is constituted in favour of the Administrator until such time as a local authority is established and thereafter in favour of such local authority.

Description of property/Beskrywing van eiendom

Lot 42 Patchouli Township, situate in the City and County of Durban, Province of Natal, in extent One Thousand and Eighty (1080) square metres;

Title deed/Titelakte

Deed of Transfer No. 6986/1973/Transportakte No. 6986/1973.

Conditions to be lapsed/Voorwaardes wat vervel

(A) Subject to such of the conditions of the original Government Grant thereof No. 787 dated the 1st April, 1847, as are still applicable; and

(B) Subject to following special conditions imposed thereon by the Administrator of Natal under the provisions of the Private Township and Town-Planning Ordinance, 1934 (Ordinance No. 10 of 1934) as amended, as created in said Deed of Transfer No. 542/1959, namely:

(a) The lot shall not be subdivided without the consent of the Administrator.

(b) Except with the consent of the Administrator, the lot shall not be used for other than residential purposes.

(c) No row of tenement houses, boarding house, hotel or block of residential flats and not more than one dwelling house with the necessary outbuildings shall be erected on the lot without the consent of the Administrator.

(d) No building of any kind shall be erected on the lot unless the walls thereof are constructed of burnt brick, stone or concrete or of other permanent and fireproof

material; provided that a building, structure or fence of iron or asbestos sheeting or similar material fixed to a framework of wood or metal shall not be permitted. This condition is constituted in favour of the Administrator until such time as a local authority is established and thereafter in favour of such local authority.

(e) No building whatsoever, unless permitted under exceptional circumstances, shall be erected on the lot within a distance of 7,62 metres from any boundary abutting on a street, nor within a distance of 3,05 metres from any other boundary. This condition is constituted in favour of the Administrator until such time as a local authority is established and thereafter in favour of such local authority. On consolidation of any two or more lots, this condition shall apply to the consolidated area as a whole.

(f) The owner of the lot shall, without compensation, be obliged to permit the erection, laying and maintenance of electric wires and/or water supply piping over or under the lot along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary as well as reasonable access thereto for the purpose of maintenance, extension, or removal. This condition is constituted in favour of the Administrator until such time as a local authority is established and thereafter in favour of such local authority. The rights conferred by this condition shall be exercisable by any local authority or other body or person legally authorised to supply electric current or water for the benefit of the inhabitants of the township. If the owner of the lot be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator whose decision shall be final.

(g) The owner of the lot shall without compensation be obliged to permit the construction and maintenance of sewers and drains over or under the lot along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary as well as reasonable access thereto for the purpose of maintenance, removal or extension and the owner of the lot shall without compensation be obliged to allow the sewerage and drainage of any other lot or street to be conveyed along such sewers and drains provided that if the owner of the lot be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator whose decision shall be final. This condition is constituted in favour of the Administrator until such time as a local authority is established and thereafter in favour of such local authority.

(h) The owner of the lot shall without compensation be obliged to permit such deposit of material or excavation on the lot as may in connection with the formation of any street in the township and owing to differences in level between the lot and the street be deemed necessary in order to provide a safe and proper slope to the cut and fill commencing from the boundary of the lot unless he shall elect at his own cost to build a retaining wall. This condition is constituted in favour of the Administrator until such time as a local authority is established and thereafter in favour of such local authority.

(i) The lot shall not be hypothecated in any manner to any Native or to any Company or Corporation in which Natives have a controlling interest. The word "Native" shall have the meaning assigned to it in Act 18 of 1936 or any amendment thereof. This condition is constituted in favour of all other lots in the township and in favour of the lot hereby transferred against such other lots, and shall be enforceable at the instance of the owner of any one or more of the lots in the township.

Description of property/Beskrywing van eiendom

Lot 16 of Newlands Township, situate in the City of Durban, County of Victoria, Province of Natal, in extent Four comma Five One Nought One (4,5101) hectares;

Title deed/Titelakte

Deed of Transfer No. 6251/1972/Transportakte No. 6251/1972.

Conditions to be lapsed/Voorwaardes wat vervall

Subject to the whole terms and conditions in so far as still in force and applicable contained in the original Government Grant No. 846, dated 1st February, 1848.

Description of property/Beskrywing van eiendom

Lot 18 Newlands Township, situate in the City of Durban, County of Victoria, Province of Natal, in extent Three comma Nine Six Two Nought (3,9620) hectares,

Title deed/Titelakte

Deed of Transfer No. 9874/1974/Transportakte No. 9874/1974.

Conditions to be lapsed/Voorwaardes wat vervall

Subject to the whole terms and conditions in so far as still in force and applicable contained in the original Government Grant No. 846 dated 1st February, 1848.

Description of property/Beskrywing van eiendom

Sub 1 of Lot 43 Newlands Township, situate in the City of Durban, County of Victoria, Province of Natal, in extent Three Thousand Nine Hundred and Thirty Five (3 935) square metres;

Title deed/Titelakte

Deed of Transfer No. 12797/1974/Transportakte No. 12797/1974.

Conditions to be lapsed/Voorwaardes wat vervall

A. Subject to such of the terms and conditions of the original Government Grant as are still in force and applicable No. 846 dated 1st April, 1848.

B. Subject to the following special conditions imposed by the Administrator under Ordinance 27 of 1949, as created in the said Deed of Transfer No. 5649/1966:

1. Except with the consent of the Administrator, the land shall not be used for other than residential purposes.

2. No row or tenement house, boarding house, semi-detached house, hotel or block of residential flats and not more than one dwelling house, together with such out-buildings as are ordinarily used in conjunction therewith, shall be erected on the land without the consent of the Administrator. Upon registration of Title of any subsequent subdivision of the said land which shall have been approved by the Administrator, this condition shall lapse in respect of such subdivision and thereafter apply to the remainder only.

3. The local authority shall, without compensation, have the right to erect, lay and maintain electric wires and/or water supply piping over or under the land along any boundary thereof other than a road frontage and within a distance of one comma eight three (1,83) metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension. Maintenance shall include trimming, cutting or otherwise dealing with trees so as to prevent interference with the electric wires. The rights conferred by this condition shall be exercisable by any local authority or other body or person legally authorised to supply electric current or water for the benefit of the inhabitants of the township.

If the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator, whose decision shall be final.

4. The local authority shall, without compensation have the right to construct and maintain sewers and drains over or under the land along any boundary thereof other than a road frontage and within a distance of one comma eight three (1,83) metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension and the owner of the land shall without compensation, be obliged to allow the sewerage and drainage of any other land or street to be conveyed along such sewers and drains; provided that if the owner of the land be aggrieved by the unreasonable exercise of these rights, he shall have the right of appeal to the Administrator, whose decision is final.

5. The owner of the land shall, without compensation, be obliged to permit such deposit of material or excavation on the land as may, in connection with the formation of any street and owing to differences in level between the land and the street, be deemed necessary by the local authority in order to provide a safe and proper slope to the cut and fill commencing from the boundary of the land, unless he shall elect, at his own cost, to build a retaining wall to the satisfaction of the local authority.

6. Where two or more pieces of land subject to similar conditions imposed at the instance of the Administrator, are consolidated, such conditions shall apply to the consolidated area as a whole.

7. The local authority shall, without compensation, have the right to construct and maintain sewers and drains over or under the land along and immediately adjacent to the riverward boundary, thereof, and within a distance of four comma five seven (4,57) metres from such boundary, represented by the figure E C' middle of stream D' F on Diagram S.G. No. 3912/1964, and shall have reasonable access thereto for the purpose of maintenance, removal or extension, and the owner of the land shall, without compensation, be obliged to allow the sewerage and drainage of any other land or street to be conveyed along such sewers and drains provided that if the owner of the land be aggrieved by the unreasonable exercise of these rights, he shall have the right of appeal to the Administrator whose decision shall be final.

Description of property/Beskrywing van eiendom

Sub 4 of Lot 43 Newlands Township, situate in the City of Durban, County of Victoria, Province of Natal, in extent Three Thousand Eight Hundred (3 800) square metres.

Title deed/Titelakte

Deed of Transfer No. 7503/1974/Transportakte No. 7503/1974.

Conditions to be lapsed/Voorwaardes wat vervel

A. Subject to such of the terms and conditions of the original Government Grant as are still in force and applicable No. 846 dated 1st April 1848.

B. Subject to the following special conditions imposed by the Administrator under Ordinance No. 27 of 1949, as created by Deed of Transfer No. 5652/1966 dated 17th May 1966:

1. Except with the consent of the Administrator, the land shall not be used for other than residential purposes.

2. No row of tenement house, boarding house, semi-detached house, hotel or block of residential flats and not more than one dwelling house together with such outbuildings as are ordinarily used in conjunction therewith, shall be erected on the land without the consent of the Administrator. Upon registration of Title of any subsequent subdivision of the said land which shall have been approved by the Administrator, this condition shall lapse in respect of such subdivision and thereafter apply to the remainder only.

3. The local authority shall, without compensation, have the right to erect, lay and maintain electric wires and/or water supply piping over or under the land along any boundary thereof other than a road frontage and within a distance of one comma eight three metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension. Maintenance shall include trimming, cutting or otherwise dealing with trees so as to prevent interference with the electric wires. The rights conferred by this condition shall be exercisable by any local authority or other body or person legally authorised to supply electric current or water for the benefit of the inhabitants of the township.

If the owner of the land be aggrieved by the unreasonable exercise of these rights, he shall have the right of appeal to the Administrator, whose decision shall be final.

4. The Local Authority shall, without compensation, have the right to construct and maintain sewers and drains over or under the land along any boundary thereof other than a road frontage and within a distance of one comma eight three metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension and the owner of the land shall without compensation, be obliged to allow the sewerage and drainage of any other land or street to be conveyed along such sewers and drains; provided that if the owner of the land be aggrieved by the unreasonable exercise of these rights, he shall have the right of appeal to the Administrator, whose decision shall be final.

5. The owner of the land, shall, without compensation, be obliged to permit such deposit of material or excavation on the land as may, in connection with the formation of any street and owing to differences in level between the land and the street, be deemed necessary by the local authority in order to provide a safe and proper slope to the cut and fill commencing from the boundary of the land, unless he shall elect, at his own cost, to build a retaining wall to the satisfaction of the local authority.

6. Where two or more pieces of land subject to similar conditions imposed at the instance of the Administrator are consolidated, such conditions shall apply to the consolidated area as a whole.

7. The local authority shall, without compensation, have the right to construct and maintain sewers and drains over or under the land and within a distance of one comma five two and three comma nought five metres on either side of the natural stream channels which traverse the land and are represented by the lines lettered E middle of stream F on diagram S.G. 3915/1964, and shall have reasonable access thereto for the purpose of maintenance, removal or extension, and the owner of the land shall, without compensation, be obliged to allow the sewerage and drainage of any other land for street to be conveyed along such sewers and drains provided that if the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator whose decision shall be final.

Description of property/Beskrywing van eiendom

Sub 1 of Lot 54 Newlands Township, situate in the City of Durban, County of Victoria, Province of Natal, in extent Two comma Two Two Eight Four (2,2284) hectares.

Title deed/Titelakte

Deed of Transfer No. 17443/1973/Transportakte No. 17443/1973.

Conditions to be lapsed/Voorwaardes wat vervel

A. Subject to such of the terms and conditions of the original Government Grant No. 846 dated 1st February 1848 as are now in force and applicable.

D. Subject to the following conditions imposed by the Administrator in terms of Ordinance No. 27/1949 as amended, as created in said Deed of Partition Transfer No. 2347/1968:

(1) Except with the consent of the Administrator, the land shall not be used for other than residential purposes.

(2) No row of tenement house, boarding house, semi-detached house, hotel or block of residential flats and not more than one dwelling house, together with such outbuildings as are ordinarily used in conjunction therewith, shall be erected on the land without the consent of the Administrator. Upon registration of title of any subsequent subdivision of the said land which shall have been approved by the Administrator, this condition shall lapse in respect of such subdivision and thereafter apply to the remainder only.

(3) The local authority shall, without compensation, have the right to erect, lay and maintain electric wires and/or water supply piping over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension. Maintenance shall include trimming, cutting or otherwise dealing with trees so as to prevent interference with the electric wires.

The rights conferred by this condition shall be exercisable by any local authority or other body or person legally authorised to supply electric current or water for the benefit of the inhabitants of the township.

If the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator, whose decision shall be final.

(4) The local authority shall, without compensation, have the right to construct and maintain sewers and drains over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension, and the owner of the land shall without compensation be obliged to allow the sewerage and drainage of any other land or street to be conveyed along such sewers and drains; provided that if the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator, whose decision shall be final.

(5) The owner of the land shall, without compensation, be obliged to permit such deposit of material or excavation on the land as may, in connection with the formation of any street and owing to the differences in level between the land and the street, be deemed necessary by the local authority, in order to provide a safe and proper slope to the cut and fill commencing from the boundary of the land, unless he shall elect, at his own cost, to build a retaining wall to the satisfaction of the local authority.

(6) Where two or more pieces of land subject to similar conditions imposed at the instance of the Administrator are consolidated, such conditions shall apply to the consolidated area as a whole.

Description of property/Beskrywing van eiendom

Sub 2 of Lot 54 Newlands Township, situate in the City of Durban, County of Victoria, Province of Natal, in extent Two comma Six Six Five Eight (2,6658) hectares.

Title deed/Titelakte

Deed of Transfer No. 10301/1973/Transportakte No. 10301/1973.

Conditions to be lapsed/Voorwaardes wat verval

A. Subject to such of the terms and conditions of the original Government Grant No. 846 dated 1st February 1848, as are now in force and applicable.

D. Subject to the following conditions imposed by the Administrator in terms of Ordinance No. 27/1949 as amended, and created in said Deed of Transfer No. 2349/1968:

(1) Except with the consent of the Administrator, the land shall not be used for other than residential purposes.

(2) No row of tenement house, boarding house, semi-detached house, hotel or block of residential flats and not more than one dwelling house, together with such outbuildings as are ordinarily used in conjunction therewith, shall be erected on the land without the consent of the Administrator. Upon registration of title of any subsequent subdivision of the said land which shall have been approved by the Administrator, this condition shall lapse in respect of such subdivision and thereafter apply to the remainder only.

(3) The local authority shall without compensation, have the right to erect, lay and maintain electric wires and/or water supply piping over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension. Maintenance shall include trimming, cutting or otherwise dealing with the trees so as to prevent interference with the electric wires.

The rights conferred by this condition shall be exercisable by any local authority or other body or person legally authorised to supply electric current or water for the benefit of the inhabitants of the township.

If the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator, whose decision shall be final.

(4) The local authority shall, without compensation, have the right to construct and maintain sewers and drains over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension, and the owner of the land shall, without compensation be obliged to allow the sewerage and drainage of any other land or street to be conveyed along such sewers and drains; provided that if the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator, whose decision shall be final.

(5) The owner of the land shall, without compensation, be obliged to permit such deposit of material or excavation on the land as may, in connection with the formation of any street and owing to differences in level between the land and the street, be deemed necessary by the local authority, in order to provide a safe and proper slope to the cut and fill commencing from the boundary of the land, unless he shall elect, at his own cost, to build a retaining wall to the satisfaction of the local authority.

(6) Where two or more pieces of land subject to similar conditions imposed at the instance of the Administrator are consolidated, such conditions shall apply to the consolidated area as a whole.

Description of property/Beskrywing van eiendom

Sub 7 of Lot 54 Newlands Township, situate in the City of Durban, County of Victoria, Province of Natal, in extent Two comma One Nine Nought Three (2,1903) hectares.

Title deed/Titelakte

Deed of Transfer No. 3651/1973/Transportakte No. 3651/1973.

Conditions to be lapsed/Voorwaardes wat verval

A. Subject to such of the terms and conditions of the original Government Grant No. 846 dated 1st February 1848, as are now in force and applicable.

B. Subject to a 12,19 metre wide road servitude in favour of the Local Authority, imposed by the Administrator in terms of Ordinance No. 27/1949, as amended and lettered E.J.H.D. on the diagram, as created in Deed of Partition Transfer No. 2348/1968 dated 13th February 1968.

C. Subject to a 9,14 metre wide road servitude lettered F.B.C.G. on diagram S.G. No. 5346/1964 in favour of the Local Authority, imposed by the Administrator in terms of Ordinance No. 27/1949, as amended, as created in the said Deed of Partition Transfer No. 2348/1968.

D. Subject to the following conditions imposed by the Administrator in terms of Ordinance No. 27/1949 as amended, and as created in said Deed of Partition Transfer No. 2348/1968:

(1) Except with the consent of the Administrator, the land shall not be used for other than residential purposes.

(2) No row or tenement house, boarding house, semi-detached house, hotel or block of residential flats and not more than one dwelling house, together with such outbuildings as are ordinarily used in conjunction therewith, shall be erected on the land without the consent of the Administrator. Upon registration of title of any subsequent subdivision of the said land which shall have outbuildings as are ordinarily used in conjunction therewith in respect of such subdivision and thereafter apply to the remainder only.

(3) The local authority shall without compensation, have the right to erect, lay and maintain electric wires and/or water supply piping over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metre from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension. Maintenance shall include trimming, cutting or otherwise dealing with trees so as to prevent interference with the electric wires.

The rights conferred by this condition shall be exercisable by any local authority or other body or person legally authorised to supply electric current or water for the benefit of the inhabitants of the township.

If the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator, whose decision shall be final.

(4) The local authority shall, without compensation, have the right to construct and maintain sewers and drains over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metre from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension, and the owner of the land shall, without compensation be obliged to allow the sewerage and drainage of any other land or street to be conveyed along such sewers and drains; provided that if the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right to appeal to the Administrator, whose decision shall be final.

(5) The owner of the land shall, without compensation, be obliged to permit such deposit of material or excavation on the land as may, in connection with the formation of any street and owing to differences in level between the land and the street, be deemed necessary by the local authority, in order to provide a safe and proper

slope to the cut and fill commencing from the boundary of the land, unless he shall elect, at his own cost, to build a retaining wall to the satisfaction of the local authority.

(6) Where two or more pieces of land subject to similar conditions imposed at the instance of the Administrator are consolidated, such conditions shall apply to the consolidated area as a whole.

Description of property/Beskrywing van eiendom

The Remainder of Lot 54 Newlands Township, situate in the City and County of Durban, Province of Natal, in extent Two decimal Five Six Two Five (2,5625) Hectares.

Title deed/Titelakte

Deed of Transfer 12737/1974/Transportakte 12737/1974.

Conditions to be lapsed/Voorwaardes wat verval

A. Subject to such of the terms and conditions of the original Government Grant No. 846 dated 1st February 1848 as are now in force and applicable.

B. Subject to a 12,19 metre wide road servitude in favour of the Local Authority, imposed by the Administrator in terms of Ordinance No. 27 of 1949, as amended, and lettered G.M.L.K.E.F. on the Diagram as created in Deed of Partition Transfer No. 2350/1968 dated 13th February, 1968.

C. Subject to a 9,14 metre wide road servitude in favour of the Local Authority, imposed by the Administrator in terms of Ordinance No. 27/1949, as amended, and lettered H.B.C.J. on the diagram as created in Deed of Partition Transfer No. 2350/1968 dated 13th February 1968.

D. Subject to the following conditions imposed by the Administrator in terms of Ordinance No. 27/1949 as amended, created in said Deed of Partition Transfer No. 2350/1968:

(1) Except with the consent of the Administrator, the land shall not be used for other than residential purposes.

(2) No row of tenement house, boarding house, semi-detached house, hotel or block of residential flats and not more than one dwelling house, together with such outbuildings as are ordinarily used in conjunction therewith, shall be erected on the land without the consent of the Administrator. Upon registration of title of any subsequent subdivision of the said land which shall have been approved by the Administrator, this condition shall lapse in respect of such subdivision and thereafter apply to the remainder only.

(3) The local authority shall, without compensation, have the right to erect, lay and maintain electric wires and/or water supply piping over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension. Maintenance shall include trimming, cutting or otherwise dealing with trees so as to prevent interference with the electric wires.

The rights conferred by this condition shall be exercisable by any local authority or other body or person legally authorised to supply electric current or water for the benefit of the inhabitants of the township.

If the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator, whose decision shall be final.

(4) The local authority shall, without compensation, have the right to construct and maintain sewers and drains over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metre from such boundary and shall have reasonable access thereto for the purpose of maintenance,

removal or extension and the owner of the land shall, without compensation be obliged to allow the sewerage and drainage of any other land or street to be conveyed along such sewers and drains; provided that if the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator, whose decision shall be final.

(5) The owner of the land shall, without compensation, be obliged to permit such deposit of material of excavation on the land as may, in connection with the formation of any street and owing to differences in level between the land and street, be deemed necessary by the local authority, in order to provide a safe and proper slope to the cut and fill commencing from the boundary of the land, unless he shall elect, at his own cost, to build a retaining wall to the satisfaction of the local authority.

(6) Where two or more pieces of land subject to similar conditions imposed at the instance of the Administrator are consolidated, such conditions shall apply to the consolidated area as a whole.

F. Subject to the following condition imposed by the Administrator in terms of Ordinance No. 27/1949 as amended, created in said Deed of Partition Transfer No. 2350/1968:

The Local Authority shall, without compensation, have the right to construct and maintain drains over or under the land along and within the drainage servitude 6,10 metres in width and lettered n irregular line p.q. irregular line r on the diagram, and shall have reasonable access thereto for the purpose of maintenance, removal or extension, and the owner of the land shall, without compensation, be obliged to allow the drainage of any other land or street to be conveyed along such drains provided that if the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator whose decision shall be final.

Description of property/Beskrywing van eiendom

Lot 59 Newlands Township, situate in the City of Durban, County of Victoria, Province of Natal, in extent Four decimal Nought Four Nine Three (4,0493) hectares.

Title deed/Titelakte

Deed of Transfer No. 3190/1973/Transportakte No. 3190/1973.

Conditions to be lapsed/Voorwaardes wat verval

Subject to the terms and conditions of the original Government Grant No. 787 dated 1st April 1847, in so far as still in force and applicable.

Description of property/Beskrywing van eiendom

Remainder of Lot 60 Newlands, Township, situate in the City of Durban, County of Victoria, Province of Natal, in extent SIX comma NINE FOUR EIGHT SEVEN (6,9487) hectares.

Title deed/Titelakte

Deed of Transfer No. 11409/1974/Transportakte No. 11409/1974.

Conditions to be lapsed/Voorwaardes wat verval

A. Subject to the whole terms and conditions in so far as still in force and applicable contained in the original Government Grant No. 788 dated 1st April 1847.

B. Subject to the following special conditions imposed by the Administrator under provisions of Act No. 27 of 1949 and as created by endorsement dated 15th September 1960, under Section 3, Act No. 10 of 1944 on the said Deed of Transfer No. 2269/1932, namely:

1. Except with the consent of the Administrator, the land shall not be used for other than residential purposes.

2. No row of tenement houses, boarding house, hotel or block of residential flats and not more than one dwelling house, together with such outbuildings as are ordinarily used in conjunction therewith, shall be erected on the land without the consent of the Administrator. Upon registration of title of any subsequent subdivision of the said land which shall have been approved by the Administrator, this condition shall lapse in respect of such subdivision and thereafter shall apply to the remainder only.

3. The local authority shall, without compensation, have the right to erect, lay and maintain electric wires and/or water supply piping over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension.

The rights conferred by this condition shall be exercisable by any local authority or other body or person legally authorised to supply electric current or water for the benefit of the inhabitants of the township.

If the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator, whose decision shall be final.

4. The local authority shall, without compensation, have the right to construct and maintain sewers and drains over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension, and the owner of the land shall, without compensation, be obliged to allow the sewerage and drainage of any other land or street to be conveyed along such sewers and drains; provided that if the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator, whose decision shall be final.

5. Where two or more pieces of land subject to similar conditions are consolidated with the consent of the Administrator, such consent shall, in the absence of anything to the contrary therein contained, involve the application of the conditions mentioned above, namely B.1—4 to the consolidated area as a whole.

C. Subject to a road servitude 12,19 metres wide represented by the figure a b d e in favour of the General Public on diagram No. Sub. Vol.197 fol.78 imposed by the Administrator and as created by endorsement dated the 26th November 1956 under Section 3 of Act No. 10 of 1944 on the said Deed of Transfer No. 2269/1932.

—Description of property/Beskrywing van eiendom

Lot 63 of Newlands Township, situate in the City and County of Durban, Province of Natal, in extent FOUR THOUSAND AND FORTY SEVEN (4 047) square metres,

Title deed/Titelakte

Deed of Transfer No. 4680/1972/Transportakte No. 4680/1972.

Conditions to be lapsed/Voorwaardes wat verval

A. Subject to the whole terms and conditions in so far as still in force and applicable contained in the original Government Grant No. 846 dated 1st February 1848.

B. Subject to the following conditions imposed by the Administrator in terms of Ordinance No. 27/1949 (as amended) as created in Deed of Transfer 7474/1960 dated 15th September 1960:

1. Except with the consent of the Administrator, the land shall not be used for other than residential purposes.

2. No row of tenement houses, boarding house, hotel or block of residential flats and not more than one dwelling house, together with such outbuildings as are ordinarily used in conjunction therewith shall be erected on the land without the consent of the Administrator. Upon registration of title of any subsequent subdivision of the said land which shall have been approved by the Administrator, this condition shall lapse in respect of such subdivision and thereafter shall apply to the remainder only.

3. The local authority shall, without compensation, have the right to erect, lay and maintain electric wires and/or water supply piping over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metre from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension.

The rights conferred by this condition shall be exercisable by any local authority or other body or person legally authorised to supply electric current or water for the benefit of the inhabitants of the township.

If the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator, whose decision shall be final.

4. The local authority shall, without compensation, have the right to construct and maintain sewers and drains over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension, and the owner of the land shall, without compensation be obliged to allow the sewerage and drainage of any other land or street to be conveyed along such sewers and drains; provided that if the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator, whose decision shall be final.

5. Where two or more pieces of land subject to similar conditions are consolidated with the consent of the Administrator, such consent shall, in the absence of anything to the contrary therein contained, involve the application of the conditions mentioned above, namely B. 1—4 to the consolidated area as a whole.

Description of property/Beskrywing van eiendom

Sub 1 of Lot 85 Newlands Township, situate in the City of Durban, County of Victoria, Province of Natal, in extent TWO THOUSAND ONE HUNDRED AND TWENTY (2120) square metres,

Title deed/Titelakte

Deed of Transfer No. 2279/1974/Transportakte No. 2279/1974.

Conditions to be lapsed/Voorwaardes wat vervel

(a) Subject to the whole terms and conditions in so far as still in force and applicable contained in the original Government Grant No. 846 dated 1st February 1848.

(b) Subject to the following special conditions imposed by the Administrator under Ordinance 27 of 1949, as amended, as created in Deed of Partition Transfer No. 8206/1959 dated 3rd November 1959 and reimposed in respect of the said Sub 1 at the instance of the Administrator by virtue of letter dated 7th December 1966 written by the Chief Land Surveyor, Private Townships, to Messrs P. H. Barbour & S. F. de Wet (reference No. PTB 2/3999) as created under said Deed of Transfer No. 12327/1968, namely:

1. Except with the consent of the Administrator, the land shall not be used for other than residential purposes.

2. No row of tenement houses, boarding house, hotel or block of residential flats and not more than one dwelling house, together with such outbuildings as are ordinarily used in conjunction therewith, shall be erected on the land, without the consent of the Administrator. Upon registration of title of any subsequent subdivision of the said land have been approved by the Administrator, this condition shall lapse in respect of such subdivision and thereafter shall apply to the remainder only.

3. The local authority shall, without compensation have the right to erect, lay and maintain electric wires and/or water supply piping over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension.

The rights conferred by this condition shall be exercisable by any local authority or other body or person legally authorised to supply electric current or water for the benefit of the inhabitants of the township.

If the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator whose decision shall be final.

4. The local authority shall, without compensation, have the right to construct and maintain sewers and drains over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension, and the owner of the land shall, without compensation, be obliged to allow the sewerage and drainage of any other land or street to be conveyed along such sewers and drains; provided that if the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator, whose decision shall be final.

5. No building whatsoever, unless permitted under exceptional circumstances, and in writing by the local authority, shall be erected on the land within a distance of 7,62 metres from any boundary abutting on a street nor within a distance of 1,83 metres from any other boundary.

On consolidation of any two or more subdivisions, this condition shall apply to the consolidated area as a whole.

(c) Subject to the further conditions imposed at the instance of the Administrator in terms of Ordinance No. 27/1949, as created in said Deed of Transfer No. 12327/1968, namely:

(i) Where two or more pieces of land subject to similar conditions imposed at the instance of the Administrator are consolidated, such conditions shall apply to the consolidated area as a whole;

(ii) The owner of the land shall without compensation be obliged to permit such deposit of material or excavation on the land as may, in connection with the formation of any street and owing to differences in level between the land and the street, be deemed necessary by the local authority, in order to provide a safe and proper slope to the cut and fill commencing from the boundary of the land, unless he shall elect, at his own cost, to build a retaining wall to the satisfaction of the local authority.

Description of property/Beskrywing van eiendom

Sub 2 of Lot 85 Newlands Township, situate in the City of Durban, County of Victoria, Province of Natal, in extent TWO THOUSAND ONE HUNDRED AND FOUR (2104) square metres.

Title deed/Titelakte

Deed of Transfer No. 2279/1974/Transportakte No. 2279/1974.

Conditions to be lapsed/Voorwaardes wat vervel

(a) Subject to the whole terms and conditions in so far as still in force and applicable contained in the original Government Grant No. 846 dated 1st February 1848.

(b) Subject to the following special conditions imposed by the Administrator under Ordinance 27 of 1949, as amended, as created in Deed of Partition Transfer No. 8206/1959 dated 3rd November 1959, and reimposed in respect of the said Sub I at the instance of the Administrator by virtue of letter dated 7th December 1966 written by the Chief Land Surveyor, Private Townships, to Messrs. P. H. Barbour & S. F. de Wet (reference No. PTB 2/3999) as created under said Deed of Transfer No. 12327/1968, namely:

1. Except with the consent of the Administrator, the land shall not be used for other than residential purposes.

2. No row of tenement houses, boarding house, hotel or block of residential flats and not more than one dwelling house, together with such outbuildings as are ordinarily used in conjunction therewith, shall be erected on the land, without the consent of the Administrator. Upon registration of title of any subsequent subdivision of the said land have been approved by the Administrator, this condition shall lapse in respect of such subdivision and thereafter shall apply to the remainder only.

3. The local authority shall, without compensation have the right to erect, lay and maintain electric wires and/or water supply piping over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension.

The rights conferred by this condition shall be exercisable by any local authority or other body or person legally authorised to supply electric current or water for the benefit of the inhabitants of the township.

If the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator whose decision shall be final.

4. The local authority shall, without compensation, have the right to construct and maintain sewers and drains over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension, and the owner of the land shall, without compensation, be obliged to allow the sewerage and drainage of any other land or street to be conveyed along such sewers and drains; provided that if the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator, whose decision shall be final.

5. No building whatsoever, unless permitted under exceptional circumstances, and in writing by the local authority, shall be erected on the land within a distance of 7,62 metres from any boundary abutting on a street nor within a distance of 1,83 metres from any other boundary.

On consolidation of any two or more subdivisions, this condition shall apply to the consolidated area as a whole.

(c) Subject to the further conditions imposed at the instance of the Administrator in terms of Ordinance No. 27/1949, as created in said Deed of Transfer No. 12327/1968, namely:

(i) Where two or more pieces of land subject to similar conditions imposed at the instance of the Administrator are consolidated, such conditions shall apply to the consolidated area as a whole;

(ii) The owner of the land shall without compensation be obliged to permit such deposit of material or excavation on the land as may, in connection with the formation of any street and owing to differences in level between the land and the street, be deemed necessary by the local authority, in order to provide a safe and proper slope to the cut and fill commencing from the boundary of the land, unless he shall elect, at his own cost, to build a retaining wall to the satisfaction of the local authority.

Description of property/Beskrywing van eiendom

Sub 3 of Lot 85 Newlands Township, situate in the City of Durban, County of Victoria, Province of Natal, in extent TWO THOUSAND ONE HUNDRED AND SIXTY (2160) square metres.

Title deed/Titelakte

Deed of Transfer No. 2279/1974/Transportakte No. 2279/1974.

Conditions to be lapsed/Voorwaardes wat vervel

(a) Subject to the whole terms and conditions in so far as still in force and applicable contained in the original Government Grant No. 846 dated 1st February 1848.

(b) Subject to the following special conditions imposed by the Administrator under Ordinance 27 of 1949, as amended, as created in Deed of Partition Transfer No. 8206/1959 dated 3rd November 1959, and reimposed in respect of the said Sub I at the instance of the Administrator by virtue of letter dated 7th December 1966 written by the Chief Land Surveyor, Private Townships, to Messrs. P. H. Barbour & S. F. de Wet (reference No. PTB 2/3999) as created under said Deed of Transfer No. 12327/1968, namely:

1. Except with the consent of the Administrator, the land shall not be used for other than residential purposes.

2. No row of tenement houses, boarding house, hotel or block of residential flats and not more than one dwelling house, together with such outbuildings as are ordinarily used in conjunction therewith, shall be erected on the land, without the consent of the Administrator. Upon registration of title of any subsequent subdivision of the said land have been approved by the Administrator this condition shall lapse in respect of such subdivision and thereafter shall apply to the remainder only.

3. The local authority shall, without compensation have the right to erect, lay and maintain electric wires and/or water supply piping over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension.

The rights conferred by this condition shall be exercisable by any local authority or other body or person legally authorised to supply electric current or water for the benefit of the inhabitants of the township.

If the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator whose decision shall be final.

4. The local authority shall, without compensation have, the right to construct and maintain sewers and drains over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension, and the owner of the land shall, without compensation, be obliged to allow the sewerage and drainage of any other land or street to be conveyed along such sewers and drains; provided that if the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator, whose decision shall be final.

5. No building whatsoever, unless permitted under exceptional circumstances and in writing by the local authority, shall be erected on the land within a distance of 7,62 metres from any boundary abutting on a street nor within a distance of 1,83 metres from any other boundary.

On consolidation of any two or more subdivisions, this condition shall apply to the consolidated area as a whole.

(c) Subject to the further conditions imposed at the instance of the Administrator in terms of Ordinance No. 27/1949, as created in said Deed of Transfer No. 12327/1968, namely:

(i) Where two or more pieces of land subject to similar conditions imposed at the instance of the Administrator are consolidated, such conditions shall apply to the consolidated area as a whole;

(ii) The owner of the land shall without compensation be obliged to permit such deposit of material or excavation on the land as may, in connection with the formation of any street and owing to differences in level between the land and the street, be deemed necessary by the local authority, in order to provide a safe and proper slope to the cut and fill commencing from the boundary of the land, unless he shall elect, at his own cost, to build a retaining wall to the satisfaction of the local authority.

Description of property/Beskrywing van eiendom

Sub 4 of Lot 85 Newlands Township, situate in the City of Durban, County of Victoria, Province of Natal, in extent TWO THOUSAND TWO HUNDRED AND THIRTEEN (2213) square metres,

Title deed/Titelakte

Deed of Transfer No. 2279/1974/Transportakte No. 2279/1974.

Conditions to be lapsed/Voorwaardes wat vervel

(a) Subject to the whole terms and conditions in so far as still in force and applicable contained in the original Government Grant No. 846 dated 1st February 1848.

(b) Subject to the following special conditions imposed by the Administrator under Ordinance 27 of 1949, as amended, as created in Deed of Partition Transfer No. 8206/1959 dated 3rd November 1959, and reimposed in respect of the said Sub 1 at the instance of the Administrator by virtue of letter dated 7th December 1966 written by the Chief Land Surveyor, Private Townships, to Messrs P. H. Barbour & S. F. de Wet (reference No. PTB 2/3999) as created under said Deed of Transfer No. 12327/1968, namely:

1. Except with the consent of the Administrator, the land shall not be used for other than residential purposes.

2. No row of tenement houses, boarding house, hotel or block of residential flats and not more than one dwelling house, together with such outbuildings as are ordinarily used in conjunction therewith, shall be erected

on the land, without the consent of the Administrator. Upon registration of title of any subsequent subdivision of the said land have been approved by the Administrator, this condition shall lapse in respect of such subdivision and thereafter shall apply to the remainder only.

3. The local authority shall, without compensation have the right to erect, lay and maintain electric wires and/or water supply piping over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension.

The rights conferred by this condition shall be exercisable by any local authority or other body or person legally authorised to supply electric current or water for the benefit of the inhabitants of the township.

If the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator whose decision shall be final.

4. The local authority shall, without compensation have, the right to construct and maintain sewers and drains over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension, and the owner of the land shall, without compensation, be obliged to allow the sewerage and drainage of any other land or street to be conveyed along such sewers and drains; provided that if the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator, whose decision shall be final.

5. No building whatsoever, unless permitted under exceptional circumstances, and in writing by the local authority, shall be erected on the land within a distance of 7,62 metres from any boundary abutting on a street nor within a distance of 1,83 metres from any other boundary.

On consolidation of any two or more subdivisions, this condition shall apply to the consolidated area as a whole.

(c) Subject to the further conditions imposed at the instance of the Administrator in terms of Ordinance No. 27/1949, as created in said Deed of Transfer No. 12327/1968, namely:

(i) Where two or more pieces of land subject to similar conditions imposed at the instance of the Administrator are consolidated, such conditions shall apply to the consolidated area as a whole;

(ii) The owner of the land shall without compensation be obliged to permit such deposit of material or excavation on the land as may, in connection with the formation of any street and owing to differences in level between the land and the street, be deemed necessary by the local authority, in order to provide a safe and proper slope to the cut and fill commencing from the boundary of the land, unless he shall elect, at his own cost, to build a retaining wall to the satisfaction of the local authority.

Description of property/Beskrywing van eiendom

Remainder of Lot 85 Newlands Township, situate in the City of Durban, County of Victoria, Province of Natal, in extent Three comma One Eight Seven Three (3,1873) hectares;

Title deed/Titelakte

Deed of Transfer No. 10297/1974/Transportakte No. 10297/1974.

Conditions to be lapsed/Voorwaardes wat vervel

(a) Subject to the whole terms and conditions in so far as still in force and applicable contained in the original Government Grant No. 846 dated 1st February, 1848.

(b) Subject to the Rights of way as shown on the Diagram of the said Subdivision F as created in Deed of Transfer No. 635/1896 dated 5th June, 1896.

(c) Subject to the following servitudes imposed at the instance of the Administrator in terms of Ordinance No. 27 of 1949, namely:

(i) A road servitude 18,29 metres wide in favour of the General Public marked G.a.b.F. on Diagram No. S.G. No. 1763/1957 in respect of Sub 1 of the said Lot F annexed to Deed of Transfer No. 8205/1959 dated 3rd November 1959.

(ii) A road servitude in favour of the General Public marked U.L.M.N.P.Q.R.S.T. on Diagram S.G. No. 1763/1957 in respect of Sub 1 of the said Lot F, annexed to Deed of Transfer No. 8205/1959 dated 3rd November 1959.

(d) Subject to the following special conditions imposed by the Administrator under Ordinance 27 of 1949, as amended, as created in the said Deed of Partition Transfer No. 8206/1959:

1. Except with the consent of the Administrator, the land shall not be used for other than residential purposes.

2. No row of tenement houses, boarding house, hotel or block of residential flats and not more than one dwelling house, together with such outbuildings as are ordinarily used in conjunction therewith, shall be erected on the land, without the consent of the Administrator. Upon registration of title of any subsequent subdivision of the said land which shall have been approved by the Administrator, this condition shall lapse in respect of such subdivision and thereafter shall apply to the remainder only.

3. The Local Authority shall, without compensation have the right to erect, lay and maintain electric wires and/or water supply piping over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension.

The rights conferred by this condition shall be exercisable by any Local Authority or other body or person legally authorised to supply electric current or water for the benefit of the inhabitants of the township.

If the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator whose decision shall be final.

4. The Local Authority shall, without compensation have, the right to construct and maintain sewers and drains over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension; and the owner of the land shall, without compensation, be obliged to allow the sewerage and drainage of any other land or street to be conveyed along such sewers and drains; provided that if the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator, whose decision shall be final.

5. No building whatsoever, unless permitted under exceptional circumstances and in writing by the Local Authority, shall be erected on the land within a distance of 7,62 metres from any boundary abutting on a street nor within a distance of 1,83 metres from any other boundary.

On consolidation of any two or more subdivisions, this condition shall apply to the consolidated area as a whole.

6. Subject to the following conditions imposed by the Administrator under Ordinance No. 27 of 1949, as amended, as created by endorsement dated 27th August 1968 on the said Deed of Partition Transfer No. 8206/1959:

(i) A Road servitude lettered A B C D E F G on Diagram S.G. No. 472/67 in favour of the General Public;

(ii) (a) Where two or more pieces of land subject to similar conditions imposed at the instance of the Administrator are consolidated, such conditions shall apply to the consolidated area as a whole;

(b) The owner of the land shall without compensation be obliged to permit such deposit of material or excavation on the land as may, in connection with the formation of any street and owing to differences in level between the land and the street, be deemed by the Local Authority, in order to provide a safe and proper slope to the cut and fill commencing from the boundary of the land, unless he shall elect, at his own cost, to build a retaining wall to the satisfaction of the Local Authority.

Description of property/Beskrywing van eiendom

Lot 89 Newlands Township, situate in the City of Durban, County of Victoria, Province of Natal, in extent One comma Two Eight Eight Two (1,2882) hectares,

Title deed/Titelakte

Deed of Transfer No. 10297/74/Transportakte No. 10297/1974.

Conditions to be lapsed/Voorwaardes wat vervel

(a) Subject to the whole terms and conditions in so far as still in force and applicable contained in the original Government Grant No. 846 dated 1st February, 1848.

(b) Subject to the following special conditions imposed by the Administrator under Ordinance 27 of 1949, as amended, as created in the said Deed of Partition Transfer No. 8207/1959:

1. Except with the consent of the Administrator, the land shall not be used for other than residential purposes.

2. No row of tenement houses, boarding house, hotel or block of residential flats and not more than one dwelling house, together with such outbuildings as are ordinarily used in conjunction therewith, shall be erected on the land without the consent of the Administrator. Upon registration of title of any subsequent subdivision of the said land which shall have been approved by the Administrator, this condition shall lapse in respect of such subdivision and thereafter shall apply to the remainder only.

3. The Local Authority shall, without compensation, have the right to erect, lay and maintain electric wires and/or water supply piping over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension.

The rights conferred by this condition shall be exercisable by any local authority or other body or person legally authorised to supply electric current or water for the benefit of the inhabitants of the township.

If the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator, whose decision shall be final.

4. The Local Authority shall, without compensation have, the right to construct and maintain sewers and drains over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary and have reasonable

access thereto for the purpose of maintenance, removal or extension, and the owner of the land shall, without compensation, be obliged to allow the sewerage and drainage of any land or street to be conveyed along such sewers and drains; provided that if the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator, whose decision shall be final.

Description of property/Beskrywing van eiendom

Lot 94 Newlands Township, situate in the City of Durban, County of Victoria, Province of Natal, in extent Three comma Three Three Seven One (3,3371) hectares,

Title deed/Titelakte

Deed of Transfer No. 2278/1974/Transportakte No. 2278/1974.

Conditions to be lapsed/Voorwaardes wat verval

(a) Subject to all the terms and conditions contained in the original Government Grant No. 846 dated 1st February 1848 in so far as still applicable.

(b) Subject to the following special conditions imposed by the Administrator in terms of Ordinance No. 27 of 1949 endorsed on the said Deed of Transfer No. 6871/1953, by endorsement dated 19th November 1956 in pursuance of Section 10 of Act 1944, namely:

1. Except with the consent of the Administrator the land shall not be used for other than residential purposes.

2. No row of tenement houses, boarding house, hotel or block of residential flats and not more than one dwelling house together with such outbuildings as are ordinarily used in conjunction therewith shall be erected on the land without the consent of the Administrator. Upon registration of title of any subsequent subdivision of the said land which shall have been approved by the Administrator this condition shall lapse in respect of such subdivision and thereafter shall apply to the remainder only.

3. Subject to a road servitude 12,19 metres wide represented by the figure a b d e f g on diagram Sub. Vol. 115 fol. 102 annexed to Deed of Transfer 1077/1893 dated 20th December 1893 in favour of the General Public.

Description of property/Beskrywing van eiendom

Lot 100 Newlands Township, situate in the City of Durban, County of Victoria, Province of Natal, in extent THREE comma FOUR ONE FOUR SIX (3,4146) hectares,

Title deed/Titelakte

Deed of Transfer No. 21914/1973/Transportakte No. 21914/1973.

Conditions to be lapsed/Voorwaardes wat verval

(a) Subject to such of the terms and conditions of the Original Government Grant No. 846 dated 1st February 1848, as are now in force and applicable.

(b) Subject to a right of way 3,66 metres wide as shown on the diagram of the said Subdivision 1, created in said Deed of Transfer No. 782/1894.

(c) Subject to the right of the owners of Lot B of Lot No. 12 of the farm Zeekoe Vallei in the County of Victoria aforesaid, and their successors in title being allowed at all times to take and draw water from the said property either by hand or mechanical means for domestic or irrigation purposes provided that the owners of the said Lot B shall maintain and keep in repair all mechanical appliances and pipes used in the drawing and conveyance of the said water, created by the Will of Pachaiamma dated 2nd November 1931, in Deed of Transfer No. 1627/1933 dated 10th July 1933.

(d) Subject to a road servitude 20,12 metres wide lettered D.E.F.G.H.J. on diagram S.G. No. 7011/55 in favour of the General Public. The said servitude was imposed by the Administrator of Natal in terms of Ordinance No. 27 of 1949 (as amended) and created by endorsement dated 14th August 1957 on Deed of Transfer No. 9528/1955 dated 19th October 1955, in terms of Section 3 (v) of Act No. 47 of 1937 and Section 3 of Act No. 10 of 1944.

(e) Subject to a road servitude represented by the figure A.B.C.D.E.F.G.H. on servitude diagram S.G. No. 2051/1966 in favour of Local Health Commission (Public Health Area of Newlands) created by Notarial Deed of Servitude No. 1034/1968 dated 2nd August 1968.

Description of property/Beskrywing van eiendom

Lot 117 Newlands Township, situate in the City of Durban, County of Victoria, Province of Natal, in extent eight thousand one hundred and seventy nine (8179) square metres.

Title deed/Titelakte

Deed of Transfer No. 14064/1973/Transportakte No. 14064/1973.

Conditions to be lapsed/Voorwaardes wat verval

1. Subject to the whole terms and conditions of the original Government Grant No. 787 dated 1st April 1847, in so far as still in force and applicable.

2. With the benefit of a servitude relating to the right to use of water on Subdivision 1 of A of B8 Richmond in favour of the property herein described as created in Deed of Transfer No. 1627/1933 dated 10th July 1933.

3. Subject to the following conditions imposed by the Administrator of the Province of Natal, in terms of Ordinance No. 27 of 1949 (as amended) and as created in Certificate of Registered Title No. 4218/1959 dated 17th June, 1959:

(a) Except with the consent of the Administrator, the land shall not be used for other than residential purposes.

(b) No row of tenement houses, boarding house, hotel or block of residential flats and not more than one dwelling house with the necessary outbuildings shall be erected on the land without the consent of the Administrator.

(c) No buildings or structures of any kind whatsoever shall be erected on the land unless the walls thereof are constructed of burnt brick, stone or concrete, or of other permanent and fireproof material approved by the local authority; provided that a building, structure or fence of iron or asbestos sheeting or similar material fixed to a framework of wood or metal shall not be permitted.

(d) No building whatsoever, unless permitted under exceptional circumstances and in writing by the local authority, shall be erected on the land within a distance of 7,62 metres from any boundary abutting on a street, nor within a distance of 3,05 metres from any other boundary.

On consolidation of any two or more subdivisions, this condition shall apply to the consolidated area as a whole.

(e) The local authority shall, without compensation, have the right to erect, lay and maintain electric wires and/or water supply piping over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension.

The rights conferred by this condition shall be exercisable by any local authority or other body or person legally authorised to supply electric current or water for the benefit of the inhabitants of the township.

If the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator whose decision shall be final.

(f) The local authority, shall, without compensation, have the right to construct and maintain sewers and drains over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension, and the owner of the land shall, without compensation, be obliged to allow the sewerage and drainage of any other land or street to be conveyed along such sewers and drains; provided that if the owner of the land be aggrieved by the unreasonable exercise of those rights he shall have the right of appeal to the Administrator whose decision shall be final.

(g) The owner of the land shall, without compensation, be obliged to permit such deposit of material or excavation on the land as may, in connection with the formation of any street in the township and owing to the differences in level between the land and the street, be deemed necessary by the local authority, in order to provide a safe and proper slope to the cut and fill commencing from the boundary of the land, unless he shall elect, at his own cost to build a retaining wall.

4. Subject to the undermentioned servitude imposed by the Administrator in terms of the provisions of Ordinance No. 27 of 1949 as amended, endorsed on the said Deed of Transfer No. 4220/1959 under Section 3 of Act No. 10 of 1944.

Where two or more pieces of land subject to similar Conditions are consolidated with the Consent of the Administrator, such Consent shall, in the absence of anything to the contrary therein contained, involve the Application of the aforesaid Conditions 3(a) to (g) to the consolidated area as a whole.

Description of property/Beskrywing van eiendom

Lot 119 Newlands Township, situate in the City of Durban, County of Victoria, Province of Natal, in extent Seven Thousand Eight Hundred and Ninety Eight (7898) square metres;

Title deed/Titelakte

Deed of Transfer No. 7210/1973/Transportakte No. 7210/1973.

Conditions to be lapsed/Voorwaardes wat vervel

1. Subject to the whole terms and conditions of the original Deed of Grant No. 787 dated 1st April, 1847, in so far as still in force and applicable.

2. With the benefit of a servitude relating to the right to use of water on Subdivision 1 of A of 1 of B 8 Richmond in favour of the property herein described, as created in Deed of Transfer No. 1627/1933 dated 10th July, 1933.

3. Subject to a servitude of aqueduct Four comma Five Seven (4,57) metre wide as defined in Sections 102 and 106 of the Irrigation and Conservation of Waters Act No. 8 of 1912 (as amended) in favour of Portion 503 of Lot 26 of the Farm Zeekoe Vallei No. 787 and forty three other properties of which "a" irregular line "B" on the Diagram of said Lot 119 represents the middle line; as created in and subject to the terms and conditions of Notarial Deed of Servitude No. 108/1945 dated 1st August, 1945.

4. Subject to the following conditions imposed by the Administrator of the Province of Natal, in terms of Ordinance No. 27 of 1949 (as amended) and created in Certificate of Registered Title No. 4218/1959 dated 17th June, 1959:

(a) Except with the consent of the Administrator, the land shall not be used for other than residential purposes.

(b) No row of tenement houses, boarding house, hotel or block of residential flats and not more than one dwelling house with the necessary outbuildings shall be erected on the land without the consent of the Administrator.

(c) No building or structure of any kind whatsoever shall be erected on the land unless the walls thereof are constructed of burnt brick, stone or concrete, or of other permanent and fireproof material approved by the local authority; provided that a building, structure or fence of iron or asbestos sheeting or similar material fixed to a framework of wood or metal shall not be permitted.

(d) No building whatsoever, unless permitted under exceptional circumstances, and in writing by the local authority, shall be erected on the land within a distance of 7,62 metres from any boundary abutting on a street, nor within a distance of 3,05 metres from any other boundary.

On consolidation of any two or more subdivisions this condition shall apply to the consolidated area as a whole.

(e) The local authority shall, without compensation, have the right to erect, lay and maintain electric wires and/or water supply piping over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension.

The rights conferred by this condition shall be exercisable by any local authority or other body or person legally authorised to supply electric current or water for the benefit of the inhabitants of the township.

If the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator, whose decision shall be final.

(f) The local authority shall, without compensation, have the right to construct and maintain sewers and drains over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension and the owner of the land shall, without compensation, be obliged to allow the sewerage and drainage of any other land or street to be conveyed along such sewers and drains; provided that if the owner of the land be aggrieved by the unreasonable exercise of those rights he shall have the right of appeal to the Administrator whose decision shall be final.

(g) The owner of the land shall, without compensation, be obliged to permit such deposits of material or excavation on the land as may, in connection with the formation of any street in the township and owing to differences in level between the land and the street, be deemed necessary by the local authority, in order to provide a safe and proper slope to the cut and fill commencing from the boundary of the land, unless he shall elect, at his own cost, to build a retaining wall.

5. With the benefit over transferred subdivisions of Lot B of Lot 12 of the Farm Zeekoe Vallei No. 787, of a furrow servitude 4,57 metres wide along and evenly disposes on either side of the middle of the natural stream channel traversing the said subdivisions and the right to use such channel for drainage purposes and to have access thereto for the purpose of maintenance and betterment; as shown on the diagrams thereof and on General Plan No. 96 x 22R filed in the Office of the Surveyor-General Natal, as created in the relevant subdivisional transfers.

6. With the benefit over Sub 1088 (a sub of B of 12) of the farm Zeekoe Vallei No. 787 of a furrow servitude 4,57 metres wide along and evenly disposed on either side of the middle of the natural stream channel traversing the said Sub 1088 and the right to use such channel for drainage purposes and to have access thereto for the purpose of maintenance and betterment; as shown by an irregular line b on Diagram S.G. No. 2528/55 and on General Plan No. 96 x 22R filed in the Office of the Surveyor-General, Natal, as created in Deed of Transfer No. 9434/1959 dated 15th December, 1959.

Description of property/Beskrywing van eiendom

Lot 127 Newlands Township, situate in the City and County of Durban, Province of Natal, in extent Two Thousand and Twenty Three (2 023) square metres,

Title deed/Titelakte

Deed of Transfer No. 5024/1972/Transportakte No. 5024/1972.

Conditions to be lapsed/Voorwaardes wat vervel

A. Subject to such of the conditions of Deed of Grant No. 787 dated 1st April 1847, as are now in force and applicable.

B. Subject to a servitude of aqueduct 4,57 metres wide as defined in sections 103 and 106 of the Irrigation and Conservation of Waters Act No. 8 of 1912 (as amended) in favour of Portion 503 of Lot 26 of the farm Zeekoe Vallei No. 787 and fifty three other properties of which the irregular line EF on the diagram of the said Lot 127 represents the middle line; as created in and subject to the terms and conditions of Notarial Deed of Servitude No. 108/1945S dated 1st August, 1945.

C. With the benefit of a servitude relating to the right to the use of water on subdivision 1 of A of 1 of B8 Richmond in favour of the property herein described; as created in Deed of Transfer No. 1627/1933 dated 10th July 1933.

D. With the benefit over transferred subdivisions (subs of B of 12) of the farm Zeekoe Vallei No. 787, of a drainage servitude 7,62 metres wide along and evenly disposed on either side of the middle of the natural stream traversing said subdivisions, and the right to use such channel for drainage purposes and to have access thereto for the purpose of maintenance and betterment, as shown on General Plan No. 96 x 22R filed in the Office of the Surveyor-General, Natal, and created in the relevant subdivisional transfers.

E. With the benefit over the Remainder of Lot B of Lot 12 of the farm Zeekoe Vallei No. 787 of a drainage servitude 7,62 metres wide along and evenly disposed on either side of the middle of the natural stream channel traversing said Remainder, and the right to use such channel for drainage purposes and to have access thereto for the purpose of maintenance and betterment, as shown on General Plan No. 96 x 22R filed in the Office of the Surveyor-General, Natal, as created in said Deed of Transfer No. 100/1953.

F. With the benefit of a Water Reserve Servitude over the Remainder of Lot B of Lot 12 of the Farm Zeekoe Vallei No. 787, with the right to draw water therefrom, as shown lettered C'AA'B' on General Plan No. 96 x 22R filed in the Office of the Surveyor-General, Natal, as created in said Deed of Transfer No. 100/1953.

G. With the benefit of servitudes of right-of-way 3,05 metres wide over the Remainder of Lot B of Lot 12 of the farm Zeekoe Vallei No. 787, as shown lettered W.F.K.Y. and Y.A.'E.X. on General Plan 96 x 22R filed in the Office of the Surveyor-General, Natal, as created in said Deed of Transfer No. 100/1953.

H. Subject to the following conditions imposed by the Administrator of the Province of Natal, in terms of Ordinance No. 10/1934, as created in said Deed of Transfer No. 100/1953:

1. This subdivision shall not be subdivided without the consent of the Administrator.

2. Not more than one dwelling house with the necessary outbuildings shall be erected on this subdivision without the consent of the Administrator.

3. No trade or business shall be conducted on this subdivision without the consent of the Administrator.

4. The owner of this subdivision shall, without compensation, be obliged to permit the construction, and maintenance of sewers and drains over or under this subdivision along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary, as well as reasonable access thereto for the purpose of maintenance, removal or extension, and the owner of this subdivision shall, without compensation, be obliged to allow the sewerage and drainage of any other subdivision or street to be conveyed along such sewers and drains provided that, if the owner of the subdivision be aggrieved by the unreasonable exercise of these rights, he shall have the right of appeal to the Administrator, whose decision shall be final.

This condition is constituted in favour of the owner of the Remainder until such time as a local authority is established and the thereafter in favour of such local authority to the exclusion of the remainder.

I. With the benefit of a servitude of right-of-way 3,05 metres wide over sub 628 (a sub of B of 12) of the farm Zeekoe Vallei No. 787, as shown lettered J.H.C.M. on the diagram of the said Sub 628, as created in Deed of Transfer No. 3394/1952 dated 2nd May 1952.

J. With the benefit of a water reserve servitude over Sub 628 (a sub of B of 12) of the farm Zeekoe Vallei No. 787, as shown lettered F.G.H.K. on diagram of said sub 628 as created in Deed of Transfer No. 3394/1952 dated 2nd May 1952.

Description of property/Beskrywing van eiendom

Sub 11 of Lot 131 Newlands Township, situate in the City of Durban, County of Victoria, Province of Natal, in extent Three comma One Nine Eight Eight (3,1988) hectares,

Title deed/Titelakte

Deed of Transfer No. 7000/1974/Transportakte No. 7000/1974.

Conditions to be lapsed/Voorwaardes wat vervel

1. Subject to the whole terms and conditions of the original Government Grant No. 787 dated the 1st April, 1847 in so far as the same are still in force and applicable.

2. Subject to the following special conditions imposed by the Administrator in terms of Town Planning Ordinance No. 27/1949 and created by endorsement dated 4th July, 1963, on Certificate of Consolidated Title No. 8556/1962 dated 12th November, 1962, namely:

Conditions to be lapsed/Voorwaardes wat vervel

a. Subject to a Road Servitude represented by the figure e.f.g.h.j.k.l.m. on the diagram thereof, in favour of the Local Authority.

b. Subject to a sewer and drain Servitude represented by the figure a irregular line 3,05 metres from centre line of stream channel b.c. irregular line dA on the diagram thereof in favour of the Local Authority reserving to the Local Authority the right to use such channels for sewer and drainage purposes and the right of access thereto for the purpose of maintenance and betterment.

c. Subject to a sewer and drain Servitude 6,10 metres wide represented by the figure w irregular line 3,05 metres from centre line of stream channel x y irregular line z on the diagram thereof, in favour of the Local Authority, reserving to the Local Authority the right to use such channels for sewer and drainage purposes and the right of access thereto for the purposes of maintenance and betterment.

d. Subject to the following conditions imposed by the Administrator in terms of the Town Planning Ordinance No. 27/1949, as amended, as created in said Deed of Transfer 5993/1968.

1. Except with the consent of the Administrator, the land shall not be used for other than residential purposes.

2. No row of tenement houses, boarding house, hotel or block or residential flats and not more than one dwelling house together with such outbuildings as are ordinarily used in conjunction therewith, shall be erected on the land without the consent of the Administrator. Upon registration of title of any subsequent subdivision of the said land which shall have been approved by the Administrator, this condition shall lapse in respect of such subdivision and thereafter shall apply to the remainder only.

3. The Local Authority shall without compensation, have the right to erect, lay and maintain electric wires and/or water supply piping over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension.

The rights conferred by this condition shall be exercisable by any Local Authority or other body or person legally authorised to supply electric current or water for the benefit of the inhabitants of the township.

If the Owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator whose decision shall be final.

4. The Local Authority shall, without compensation, have the right to construct and maintain sewers and drains over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension, and the owner of the land shall, without compensation, be obliged to allow the sewerage and drainage of any other land or street to be conveyed along such sewers and drains; provided that if the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator whose decision shall be final.

5. Where two or more pieces of land subject to similar conditions are consolidated with the consent of the Administrator, such consent shall in the absence of anything to the contrary therein contained, involve the application of the conditions mentioned above, namely 1-4 to the consolidated area as a whole.

6. The owner of the land shall, without compensation, be obliged to permit such deposit or material on the land as may, in connection with the formation of any street in the township and owing to differences in level between the land and the street, be deemed necessary by the Local Authority in order to provide a safe and proper slope of the land unless he shall elect, at his own cost, to build a retaining wall.

Description of property/Beskrywing van eiendom

Lot 132 Newlands Township, situate in the City of Durban, County of Victoria, Province of Natal, in extent Six comma Eight Four Six Six (6,8466) Hectares;

Title deed/Titelakte

Deed of Transfer No. 4308/1973/Transportakte No. 4308/1973.

Conditions to be lapsed/Voorwaardes wat vervel

SUBJECT to such of the terms and conditions of the original Government Grant No. 787 dated 1st April, 1847, as are now in force and applicable.

Description of Property/Beskrywing van eiendom

Rem of Sub 1 of Lot 134 Newlands Township, situate in the City of Durban, County of Victoria, Province of Natal, in extent One Comma One One One Three (1,1113) hectares;

Title deed/Titelakte

Deed of Transfer No. 14064/1973/Transportakte No. 14064/1973.

Conditions to be lapsed/Voorwaardes wat vervel

(a) Subject to such of the terms and conditions of the original Government Grant No. 787 dated 1st April 1847 as are still in force and applicable.

(b) Subject to a servitude of road 9,14 metres wide, represented by the figure lettered A B J K on diagram S.G. No. 212/63 of the said Sub 1, of Lot 134 Newlands Township, in favour of the Remainder of said Lot 134 as created in Deed of Partition Transfer No. 9037/1964 dated 21st July, 1964.

(c) Subject to a servitude of road 9,14 metres wide represented by the figure lettered P C D N on diagram S.G. No. 212/63 of the said Sub. of Lot 134 Newlands Township, in favour of the Remainder of the said Lot 134 as created in said Deed of Partition Transfer No. 9037/1964.

(d) Subject to a servitude of road 24,38 metres wide, represented by the figure G L M F on diagram S.G. No. 212/63 of the said Sub. of Lot 134 Newlands Township, in favour of Remainder of said Lot 134 as created in said Deed of Partition Transfer No. 9037/1964.

(e) Subject to the following special conditions imposed by the Administrator for the Province of Natal in terms of Town Planning Ordinance No. 27 of 1949, as amended, and as created in the said Deed of Partition Transfer No. 9037/1964, namely:

1. Except with the consent of the Administrator the land shall not be used for other than residential purposes.

2. No row of tenement houses, boarding house, semi-detached house, hotel or block of residential flats shall be erected on the land without the consent of the Administrator.

3. Except with the consent of the local authority, not more than one dwelling house, together with such outbuildings as are ordinarily used in conjunction therewith shall be erected on the land.

4. The local authority shall, without compensation have the right to erect, lay and maintain electric wires and/or water supply piping over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension.

5. The rights conferred by this condition shall be exercisable by any local authority or other body or person legally authorised or supply electric current or water for the benefit of the inhabitants of the township.

If the owner of the land be aggrieved by the unreasonable exercise of these rights, he shall have the right of appeal to the Administrator, whose decision shall be final.

6. The local authority shall, without compensation, have the right to construct and maintain sewers and drains over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension and the owner of the land shall, without

compensation, be obliged to allow the sewerage and drainage of any other land or street to be conveyed along such sewers and drains; provided that if the owner of the land be aggrieved by the unreasonable exercise of these rights, he shall have the right of appeal to the administrator, whose decision shall be final.

7. Where two or more pieces of land subject to similar conditions imposed at the instance of the Administrator, are consolidated, such conditions shall apply to the consolidated area as a whole.

8. The owner of the land shall, without compensation, be obliged to permit such deposit of material or excavation on the land as may, in connection with the formation of any street and owing to differences in level between the land and the street, be deemed necessary by the local authority, in order to provide a safe and proper slope to the cut and fill commencing from the boundary of the land, unless he shall elect, at his own cost to build a retaining wall.

(f) Subject to Roads 9,14 and 24,38 metres wide in favour of Sub 3 of Lot 134 Newlands Township as created in Deed of Transfer No. 9040/1964.

(g) With the benefit of a servitude of road 24,38 metres wide represented by the figure lettered D W X N on diagram S.G. No. 212/63 of the said Sub of Lot 134 Newlands Township, over Remainder of said Lot 134 as created in the said Deed of Transfer No. 9037/1964.

(h) With the benefit of a servitude of road represented by the figure lettered A K S T U V G F Q R on diagram S.G. No. 212/6 of the said Sub. of Lot 134 Newlands Township, over Remainder of said Lot 134 as created in the said Deed of Transfer No. 9037/1964.

(i) With the benefit of a 9,14 metre wide road over Sub. 3 as created in the said Deed of Transfer No. 9040/1964.

Description of property/Beskrywing van eiendom

Sub 2 of Lot 134 Newlands Township, situate in the City of Durban, County of Victoria, Province of Natal, in extent Four Thousand and Forty Six (4046) square metres,

Title deed/Titelakte

Deed of Transfer No. 1999/1974/Transportakte No. 1999/1974.

Conditions to be lapsed/Voorwaardes wat verval

(a) Subject to such of the terms and conditions of the original Government Grant No. 787, dated 1st April 1847, as are now in force and applicable.

(b) Subject to the following special conditions originally created in Deed of Partition Transfer No. 9037/1964 dated 21st July, 1964, imposed by the Administrator for the Province of Natal, in terms of Town Planning Ordinance No. 27 of 1949 (as amended) against the whole of Lot 134 Newlands Township and now applicable to the sub. 2. hereby transferred by reason of the provisions of Section 78 (5) of Act No. 47/1937 and the consent of the Administrator under Ordinance No. 27/1949 (PTB NO. 2/5726 dated 5th September 1963), and created in said Deed of Transfer No. 9039/1964.

1. Except with the consent of the Administrator, the land shall not be used for other than residential purposes.

2. No row of tenement houses, boarding house, semi-detached house, hotel or block of residential flats shall be erected on the land without the consent of the Administrator.

3. Except with the consent of the Local Authority not more than one dwelling house, together with such out-buildings as are ordinarily used in conjunction therewith shall be erected on the land.

4. The local authority shall, without compensation have the right to erect, lay and maintain electric wires and/or water supply piping over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension.

The rights conferred by this condition shall be exercisable by any local authority or other body or person legally authorised to supply electric current or water for the benefit of the inhabitants of the township.

If the owner of the land be aggrieved by the unreasonable exercise of these rights, he shall have the right of appeal to the Administrator whose decision shall be final.

5. The Local Authority shall, without compensation have the right to construct and maintain sewers and drains over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension and the owner of the land shall, without compensation, be obliged to allow the sewerage and drainage of any other land or street to be conveyed along such sewers and drains; provided that if the owner of the land be aggrieved by the unreasonable exercise of these rights, he shall have the right of appeal to the Administrator whose decision shall be final.

6. Where two or more pieces of land subject to similar conditions imposed at the instance of the Administrator are consolidated such conditions shall apply to the consolidated area as a whole.

7. The owner of the land shall, without compensation be obliged to permit such deposit of material or excavation on the land as may, in connection with the formation of any street and owing to differences in level between the land and the street, be deemed necessary by the local authority in order to provide a safe and proper slope to the cut and fill commencing from the boundary of the land, unless he shall elect, at his own cost, to build a retaining wall.

(c) With the benefit of a Servitude of Road 9,14 metres wide represented by the figure lettered A.B.J.K. on diagram S.G. No. 212/63 of Sub 1 of Lot 134 Newlands Township, over the said Sub 1; as created in Deed of Partition Transfer No. 9038/1964 dated 21st July 1964.

(d) With the benefit of a Servitude of Road 9,14 metres wide, represented by the figure lettered P.C.D.N. on diagram S.G. No. 212/63 of Sub 1 of Lot 134 Newlands Township, over the said Sub 1, as created in said Deed of Partition Transfer No. 9038/1964.

(e) With the benefit of a Servitude of Road 24,38 metres wide represented by the figure lettered G.L.M.F. on diagram S.G. No. 212/63 of Sub 1 of Lot 134 Newlands Township, over the said Sub 1, as created in said Deed of Partition Transfer No. 9038/1964.

Description of property/Beskrywing van eiendom

Sub 1 of Lot 135 Newlands Township, situate in the City and County of Durban, Province of Natal, in extent FOUR THOUSAND AND FORTY SEVEN (4047) square metres.

Title deed/Titelakte

Deed of Transfer No. 59/1973/Transportakte No. 59/1973.

Conditions to be lapsed/Voorwaardes wat verval

A. Subject to such of the terms and conditions of the original Government Grant No. 787 dated the 1st April 1847, as are still in force and applicable.

B. Subject to the following conditions imposed at the instance of the Administrator in terms of Ordinance No. 27 of 1949 (as amended), as created in said Deed of Partition Transfer No. 17144/1965, namely:

1. The local authority shall, without compensation, have the right to erect, lay and maintain electric wires and/or water supply piping over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension. The rights conferred by this condition shall be exercisable by any local authority or other body or person legally authorised to supply electric current for the benefit of the inhabitants of the township.

If the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator, whose decision shall be final.

2. The local authority shall, without compensation, have the right to construct and maintain sewers and drains over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metre from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension, and the owner of the land shall, without compensation, be obliged to allow the sewerage and drainage of any other land or street to be conveyed along such sewers and drains; provided that if the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator, whose decision shall be final.

3. Except with the consent of the Administrator, the land shall not be used for other than residential purposes.

4. No row of tenement houses, boarding house, hotel or block of residential flats and not more than one dwelling house together with such outbuildings as are ordinarily used in conjunction therewith, shall be erected on the land without the consent of the Administrator. Upon registration of title of any subsequent subdivision of the said land which shall have been approved by the Administrator, this condition shall lapse in respect of such subdivision and thereafter shall apply to the remainder only.

Description of property/Beskrywing van eiendom

Lot 139 Newlands Township, situate in the City of Durban, County of Victoria, Province of Natal, in extent One comma One Nought Nought Nine (1,1009) hectares.

Title deed/Titelakte

Deed of Transfer No. 1033/1974/Transportakte No. 1033/1974.

Conditions to be lapsed/Voorwaardes wat vervel

1. Subject to the terms and conditions of the original Deed of Grant No. 787, dated 1st April 1847, in so far as are still in force and applicable.

3. Subject to the following conditions imposed by the Administrator in terms of Ordinance No. 27/1949 (as amended) and created in Deed of Partition Transfer No. 4674/1959 dated 30th June, 1959, namely:

(a) Except with the consent of the Administrator, the land shall not be used for other than residential purposes.

(b) No row of tenement houses, boarding house, hotel, or block of residential flats and not more than one dwelling house, together with such outbuildings as are ordinarily used in conjunction therewith, shall be erected on the land without the consent of the Administrator. Upon registration of title of any subsequent subdivision of the said land which shall have been approved by the

Administrator, this condition shall lapse in respect of such subdivision and thereafter shall apply to the remainder only.

(c) The local authority shall, without compensation, have the right to erect, lay and maintain electric wires and/or water supply piping over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension.

The rights conferred by this condition shall be exercisable by any local authority or other body or person legally authorised to supply electric current or water for the benefit of the inhabitants of the township.

If the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator, whose decision shall be final.

(d) The local authority shall, without compensation, have the right to construct and maintain sewers and drains over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension, and the owner of the land shall, without compensation, be obliged to allow the sewerage and drainage of any other land or street to be conveyed along such sewers and drains; provided that if the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator, whose decision shall be final.

Description of property/Beskrywing van eiendom

Lot 146 Newlands Township, situate in the City of Durban, County of Victoria, Province of Natal, in extent Seven comma Three One Nine Three (7,3193) Hectares;

Title deed/Titelakte

Deed of Transfer No. 4308/1973/Transportakte No. 4308/1973.

Conditions to be lapsed/Voorwaardes wat vervel

SUBJECT to such of the terms and conditions of the original Government Grant No. 787 dated 1st April, 1847, as are now in force and applicable.

Description of property/Beskrywing van eiendom

Lot 149 Newlands Township, situate in the City and County of Durban, Province of Natal, in extent THREE COMMA FIVE TWO SEVEN NINE (3,5279) HECTARES;

Title deed/Titelakte

Deed of Transfer No. 20292/1973/Transportakte No. 20292/1973.

Conditions to be lapsed/Voorwaardes wat vervel

Subject to the conditions of the original Government Grant No. 787 dated 1st April, 1847, in so far as still in force and applicable.

Description of property/Beskrywing van eiendom

Lot 150 Newlands Township, situate in the City of Durban, County of Victoria, Province of Natal, in extent Three Comma three Six Four One (3,3641) hectares.

Title deed/Titelakte

Deed of Transfer No. 6556/1974/Transportakte No. 6556/1974.

Conditions to be lapsed/Voorwaardes wat vervel

Subject to the terms and conditions of the original Government Grant No. 787 dated the 1st April, 1847 in so far as applicable.

Description of property/Beskrywing van eiendom

Lot 158 Newlands Township, situate in the City of Durban, County of Victoria, Province of Natal, in extent One comma Two Nought Three Six, (1,2036) Hectares;

Title deed/Titelakte

Deed of Transfer No. 9721/1973/Transportakte No. 9721/1973.

Conditions to be lapsed/Voorwaardes wat vervel

A. Subject to such of the terms and conditions of the original Government Grant No. 787, dated 1st April, 1847, as are still in force and applicable.

B. Subject to the servitude of the road 6,10 metres wide lettered E F C D on diagram S.G. No. 825/43 in favour of the General Public, as created in Notarial Deed of Servitude No. 126/1943S, dated 28th May, 1943.

Description of property/Beskrywing van eiendom

Lot 159 Newlands Township, situate in the City of Durban, County of Victoria, Province of Natal, in extent Eight Thousand and Ninety Four (8094) square metres,

Title deed/Titelakte

Deed of Transfer No. 4827/1974/Transportakte No. 4827/1974.

Conditions to be lapsed/Voorwaardes wat vervel

(a) Subject to the terms and conditions of the original Government Grant No. 787 dated 1st April, 1847, in so far as still applicable.

(b) Subject to the servitude of road 6,10 metres wide lettered AFGE on the diagram in favour of the general Public, as created in Notarial Deed of Servitude No. 126/1943S dated 28th May, 1943.

Description of property/Beskrywing van eiendom

Lot 160 Newlands Township, situate in the City of Durban, County of Victoria, Province of Natal, in extent Four thousand and Sixty Three (4 063) square metres;

Title deed/Titelakte

Deed of Transfer No. 8107/1972/Transportakte No. 8107/1972.

Conditions to be lapsed/Voorwaardes wat vervel

A. Subject to such of the terms and conditions of the original Government Grant No. 787, dated 1st April, 1847, as are still in force and applicable.

B. Subject to the following conditions imposed by the Administrator in terms of Ordinance No. 27/1949 as amended, as created in said Deed of Transfer No. 229/1956:

(a) Except with the consent of the Administrator the land shall not be used for other than residential purposes.

(b) No row of tenement houses, boarding house, hotel or block of residential flats and not more than one dwelling house with the necessary outbuildings shall be erected on the land without the consent of the Administrator.

Description of property/Beskrywing van eiendom

Lot 162 Newlands Township, situate in the City of Durban, County of Victoria, Province of Natal, in extent Two Thousand and Twenty Three (2023) square metres;

Title deed/Titelakte

Deed of Transfer No. 1032/1974/Transportakte No. 1032/1974.

Conditions to be lapsed/Voorwaardes wat vervel

1. Subject to such of the terms and conditions of the original Government Grant No. 787 dated 1st April, 1947, as are still in force and applicable.

2. Subject to the following conditions imposed by the Administrator in terms of Ordinance No. 27 of 1949, as amended, and endorsed on said Deed of Partition Transfer No. 3512/1943;

(a) Except with the consent of the Administrator, the land shall not be used for other than residential purposes.

(b) No row of tenement houses, boarding house, hotel or block of residential flats and not more than one dwelling house with the necessary outbuildings shall be erected on the land without the consent of the Administrator.

3. Subject to the following conditions imposed at the instance of the Administrator in terms of Ordinance No. 27 of 1949 (as amended):- as created in Deed of Transfer No. 1796/1961 dated 17th March, 1961:

(a) The local authority shall, without compensation, have the right to erect, lay and maintain electric wires and/or water supply piping over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension.

The rights conferred by this condition shall be exercisable by any Local authority or other body or person legally authorised to supply electric current or water for the benefit of the inhabitants of the township.

If the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator, whose decision shall be final.

(b) The local authority shall, without compensation, have the right to construct and maintain sewers and drains over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension, and the owner of the land, shall without compensation, be obliged to allow the sewerage and drainage of any other land or street to be conveyed along such sewers and drains; provided that if the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator, whose decision shall be final.

Description of property/Beskrywing van eiendom

Lot 163 Newlands Township, situate in the City of Durban, County of Victoria, Province of Natal, in extent ONE THOUSAND THREE HUNDRED AND THREE (1303) square metres,

Title deed/Titelakte

Deed of Transfer No. 11252/1973/Transportakte No. 11252/1973.

Conditions to be lapsed/Voorwaardes wat vervel

1. Subject to such of the terms and conditions of the original Government Grant No. 787 dated 1st April 1847, as are still in force and applicable.

2. Subject to the following special conditions originally created by indorsement dated 11th January, 1956, on Deed of Partition Transfer No. 3512/1943 and imposed by the Administrator of Natal in terms of Ordinance No. 27/1949, as amended, against the Remainder of the said Lot 5 of Lot 9 of the farm Zeekoe Vallei No 787, which conditions are applicable to Sub 152 now being transferred by reason of the provisions of Section 76(5) of Act 47/1937 and consent of the Private Townships Board under Ordinance No. 27/1949 (P.T.B.2/3194) dated 4th October, 1958, recreated in said Deed of Transfer No. 836/1961.

(a) Except with the consent of the Administrator the land shall not be used for other than residential purposes.

(b) No row of tenement houses, boarding house, hotel, or block of residential flats and not more than one dwelling house with the necessary outbuildings shall be erected on the land without the consent of the Administrator.

3. Subject to the following conditions imposed at the instance of the Administrator in terms of Ordinance No. 27 of 1949 (as amended) and as created in Deed of Transfer No. 836/1961 dated 10th February, 1961.

(a) The local authority shall, without compensation, have the right to erect, lay and maintain electric wires and/or water supply piping over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metre from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension.

The rights conferred by this condition shall be exercisable by any local authority or other body or person legally authorised to supply electric current and water for the benefit of the inhabitants of the township.

If the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator, whose decision shall be final.

(b) The local authority shall, without compensation, have the right to construct and maintain sewers and drains over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metre from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension, and the owner of the land shall, without compensation, be obliged to allow the sewerage and drainage of any other land or street to be conveyed along such sewers and drains; provided that if the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator, whose decision shall be final.

Description of property/Beskrywing van eiendom

Sub 1 of Lot 165 Newlands Township, situate in the City of Durban, County of Victoria, Province of Natal, in extent ONE HUNDRED AND FORTY ONE (141) square metres,

Title deed/Titelakte

Deed of Transfer No. 5123/1973/Transportakte No. 5123/1973.

Conditions to be lapsed/Voorwaardes wat vervall

Subject to such of the conditions of Deed of Grant No. 787 dated 1st April 1847, as are now in force and applicable.

Description of property/Beskrywing van eiendom

Lot 170 Newlands Township, situate in the City of Durban, County of Victoria, Province of Natal, in extent Three Comma One Three Nine Eight (3,1398) hectares;

Title deed/Titelakte

Deed of Transfer No. 7/1961/Transportakte No. 7/1961.

Conditions to be lapsed/Voorwaardes wat vervall

Subject to all the terms and conditions of the original Government Grant No. 787 dated 1st April 1847 as are still in force and applicable.

Description of property/Beskrywing van eiendom

Sub 3 of Lot 171 Newlands Township, situate in the City of Durban, County of Victoria, Province of Natal, in extent Nine Hundred and Forty Six (946) Square Metres;

Title deed/Titelakte

Deed of Transfer No. 3748/1973/Transportakte No. 3748/1973.

Conditions to be lapsed/Voorwaardes wat vervall

Subject to the whole terms and conditions in so far as still in force and applicable contained in the original Government Grant No. 846, dated 1st February, 1848.

Description of property/Beskrywing van eiendom

Sub 4 of Lot 171 Newlands Township, situate in the City of Durban, County of Victoria, Province of Natal, in extent Four Thousand Nine Hundred and Twenty Six (4926) Square metres;

Title deed/Titelakte

Deed of Transfer No. 3748/1973/Transportakte No. 3748/1973.

Conditions to be lapsed/Voorwaardes wat vervall

Subject to the whole terms and conditions in so far as still in force and applicable contained in the original Government Grant No. 846, dated 1st February, 1848.

Description of property/Beskrywing van eiendom

Lot 184 Newlands Township, situate in the City and County of Durban, Province of Natal, in extent THREE THOUSAND AND TWO (3002) square metres,

Title deed/Titelakte

Deed of Transfer No. 3191/1973/Transportakte No. 3191/1973.

Conditions to be lapsed/Voorwaardes wat vervall

(a) Subject to the terms and conditions of the original Government Grant No. 787 dated 1st April 1847 as are still in force and applicable.

(b) Subject to a general right to draw water from any stream on the said lot for domestic purposes only, and the right of access to the said stream at such place or places as may be mutually agreed upon, in favour of the Remainder of the said Lot 2, as created in said Deed of Transfer No. 5217/1955.

(c) Subject to a general right to draw water from any stream on the said Lot for domestic purposes only, and the right of access to the said stream at such place or places as may be mutually agreed upon, in favour of transferred subdivisions of said Lot 2, as created in the relevant subdivisional transfers.

(d) With the benefit of a general right to draw water from any stream on the Remainder of said Lot 2 for domestic purposes only, and with the right of access to said stream at such place or places as may be mutually agreed upon, as created in said Deed of Transfer No. 5217/1955.

(e) With the benefit of a general right to draw water from any stream on transferred subdivisions of said Lot 2 (excepting subs 636 and 637) for domestic purposes only and with the right of access to said stream at such place or places as may be mutually agreed upon as created in the relevant subdivisional transfers.

(f) Subject to the following conditions imposed at the instance of the Administrator of the Province of Natal, in terms of Ordinance 10 of 1934 (as amended) as created in said Deed of Transfer No. 5217/1955, viz:

(i) This subdivision shall not be subdivided without the consent of the Administrator.

(ii) Not more than one dwelling house with the necessary outbuildings shall be erected on this Subdivision without the consent of the Administrator.

(iii) No trade or business shall be conducted on this subdivision without the consent of the Administrator.

Description of property/Beskrywing van eiendom

Lot 185 Newlands Township, situate in the City and County of Durban, Province of Natal, in extent THREE THOUSAND THREE HUNDRED AND THIRTY (3330) square metres,

Title deed/Titelakte

Deed of Transfer No. 3191/1973/Transportakte No. 3191/1973.

Conditions to be lapsed/Voorwaardes wat vervel

(a) Subject to the terms and conditions of the original Government Grant No. 787 dated 1st April 1847 as are still in force and applicable.

(b) Subject to a general right to draw water from any stream on the said lot for domestic purposes only, and the right of access to the said stream at such place or places as may be mutually agreed upon, in favour of the Remainder of the said Lot 2, as created in said Deed of Transfer No. 5217/1955.

(c) Subject to a general right to draw water from any stream on the said Lot for domestic purposes only, and the right of access to the said stream at such place or places as may be mutually agreed upon, in favour of transferred subdivisions of said Lot 2, as created in the relevant subdivisional transfers.

(d) With the benefit of a general right to draw water from any stream on the Remainder of said Lot 2 for domestic purposes only, and with the right of access to said stream at such place or places as may be mutually agreed upon, as created in said Deed of Transfer No. 5217/1955.

(e) With the benefit of a general right to draw water from any stream on transferred subdivisions of said Lot 2 (excepting subs 636 and 637) for domestic purposes only and with the right of access to said stream at such place or places as may be mutually agreed upon as created in the relevant subdivisional transfers.

(f) Subject to the following conditions imposed at the instance of the Administrator of the Province of Natal, in terms of Ordinance 10 of 1934 (as amended) as created in said Deed of Transfer No. 5217/1955, viz:

(i) This subdivision shall not be subdivided without the consent of the Administrator.

(ii) Not more than one dwelling house with the necessary outbuildings shall be erected on this Subdivision without the consent of the Administrator.

(iii) No trade or business shall be conducted on this subdivision without the consent of the Administrator.

Description of property/Beskrywing van eiendom

Lot 186 Newlands Township, situate in the City of Durban, County of Victoria, Province of Natal, in extent FOUR THOUSAND EIGHT HUNDRED AND FIFTY SIX (4856) square metres,

Title deed/Titelakte

Deed of Transfer No. 861/1974/Transportakte No. 861/1974.

Conditions to be lapsed/Voorwaardes wat vervel

(a) Subject to the terms and conditions of the original Government Grant No. 787 dated 1st April 1847, as are still in force and applicable.

(b) Subject to a general right to draw water from any stream on the said Lot for domestic purposes only, and the right of access to said stream at such place or places as may be mutually agreed upon in favour of the Remainder of said Lot 2, as created in Deed of Transfer No. 5216/1955 dated 7th June 1955.

(c) Subject to a general right to draw water from any stream on the said Lot for domestic purposes only, and the right of access to said stream at such place or places as may be mutually agreed upon, in favour of transferred subdivisions of said Lot 2 as created in the relevant subdivisional transfers.

(d) With the benefit of a general right to draw water from any stream on the Remainder of said Lot 2 for domestic purposes only, and with the right of access to

said stream at such place or places as may be mutually agreed upon, as created in said Deed of Transfer No. 5216/1955.

(e) With the benefit of a general right to draw water from any stream on transferred subdivisions of said Lot 2 (excepting subs 636 and 637) for domestic purposes only and with the right of access to said stream at such place or places as may be mutually agreed upon as created in the relevant subdivisional transfers.

(f) Subject to the following conditions imposed at the instance of the Administrator of the Province of Natal in terms of Ordinance 10 of 1934 (as amended), as created in said Deed of Transfer No. 5216/1955, viz:

(i) This subdivision shall not be subdivided without the consent of the Administrator.

(ii) Not more than one dwelling house with the necessary outbuildings shall be erected on this subdivision without the consent of the Administrator.

(iii) No trade or business shall be conducted on this subdivision without the consent of the Administrator.

Description of property/Beskrywing van eiendom

Lot 189 Newlands Township, situate in the City of Durban, County of Victoria, Province of Natal, in extent One comma Three Seven Four Five (1,3745) hectares.

Title deed/Titelakte

Deed of Transfer No. 2843/1974/Transportakte No. 2843/1974.

Conditions to be lapsed/Voorwaardes wat vervel

(a) Subject to such of the terms and conditions of the original Government Grant No. 787, dated 1st April, 1847, as are now in force and applicable.

(b) Subject to the following special conditions imposed by the Administrator in terms of Ordinance No. 27 of 1949 (as amended), as created in the said Deed of Transfer No. 5758/1960, namely:

1. Except with the consent of the Administrator, the land shall not be used for other than residential purposes.

2. No row of tenement houses, boarding house, hotel or block of residential flats and not more than one dwelling house, together with such out-buildings as are ordinarily used in conjunction therewith, shall be erected on the land without the consent of the Administrator. Upon registration of title of any subsequent subdivision of the said land which shall have been approved by the Administrator, this condition shall lapse in respect of such subdivision and thereafter shall apply to the remainder only.

3. The local authority shall, without compensation, have the right to erect, lay and maintain electric wires and/or water supply piping over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension.

The rights conferred by this condition shall be exercisable by any local authority or other body or person legally authorised to supply electric current or water for the benefit of the inhabitants of the township.

If the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right to appeal to the Administrator, whose decision shall be final.

4. The local authority shall, without compensation have the right to construct and maintain sewers and drains over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension, and the owner of the land shall without compen-

sation, be obliged to allow the sewerage and drainage of any other land or street to be conveyed along such sewers and drains; provided that if the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator, whose decision shall be final.

Description of property/Beskrywing van eiendom

Remainder of Lot 190 Newlands Township, situate in the City of Durban, County of Victoria, Province of Natal, in extent ONE comma TWO NOUGHT FOUR EIGHT (1,2048) hectares,

Title deed/Titelakte

Deed of Transfer No. 307/1974/Transportakte No. 307/1974.

Conditions to be lapsed/Voorwaardes wat verval

(a) Subject to such of the terms and conditions of the original Government Grant No. 787 dated 1st April 1847, as are now in force and applicable.

(c) With the benefit of a temporary right of way servitude over Sub 4 as created in Deed of Transfer No. 14214/1968 dated 26th September, 1968.

(d) Subject to the following special conditions imposed by the Administrator in terms of Ordinance No. 27 of 1949 (as amended), as created in said Deed of Partition Transfer No. 5759/1960:

1. Except with the consent of the Administrator, the land shall not be used for other than residential purposes.

2. No row of tenement houses, boarding house, hotel or block of residential flats and not more than one dwelling house, together with such outbuildings as are ordinarily used in conjunction therewith, shall be erected on the land without the consent of the Administrator. Upon registration of title of any subsequent subdivision of the said land which shall have been approved by the Administrator, this condition shall lapse in respect of such subdivision and thereafter shall apply to the remainder only.

3. The local authority shall, without compensation, have the right to erect, lay and maintain electric wires and/or water supply piping over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension.

The rights conferred by this condition shall be exercisable by any local authority or other body or person legally authorised to supply electric current or water for the benefit of the inhabitants of the township.

If the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator, whose decision shall be final.

4. The local authority shall, without compensation have the right to construct and maintain sewers and drains over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension, and the owner of the land shall, without compensation, be obliged to allow the sewerage and drainage of any other land or street to be conveyed along such sewers and drains; provided that if the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator, whose decision shall be final.

Description of property/Beskrywing van eiendom

Lot 191 Newlands Township, situate in the City of Durban, County of Victoria, Province of Natal, in extent ONE THOUSAND SIX HUNDRED AND NINETY SEVEN (1697) square metres,

Title deed/Titelakte

Deed of Transfer No. 20445/1973/Transportakte No. 20445/1973.

Conditions to be lapsed/Voorwaardes wat verval

(a) Subject to such of the terms and conditions of the original Government Grant No. 787, dated 1st April 1847, as are now in force and applicable.

(b) Subject to the following special conditions imposed by the Administrator in terms of Ordinance No. 27 of 1949 (as amended), as created in Deed of Partition Transfer No. 5760/1960, namely:

(i) Except with the consent of the Administrator, the land shall not be used for other than residential purposes.

(ii) No row of tenement houses, boarding house, hotel or block of residential flats and not more than one dwelling house, together with such outbuildings as are ordinarily used in conjunction therewith, shall be erected on the land without the consent of the Administrator. Upon registration of title of any subsequent subdivisions of the said land which shall have been approved by the Administrator, this condition shall lapse in respect of such subdivision and thereafter shall apply to the remainder only.

(iii) The local authority shall, without compensation, have the right to erect, lay and maintain electric wires and/or water supply piping over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension.

The rights conferred by this condition shall be exercisable by any local authority or other body or person legally authorised to supply electric current or water for the benefit of the inhabitants of the township.

If the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator, whose decision shall be final.

(iv) The local authority shall, without compensation have the right to construct and maintain sewers and drains over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension, and the owner of the land shall, without compensation, be obliged to allow the sewerage and drainage of any other land or street to be conveyed along such sewers and drains; provided that if the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator, whose decision shall be final.

Description of property/Beskrywing van eiendom

Sub 1 of Lot 192 Newlands Township, situate in the City of Durban, County of Victoria, Province of Natal, in extent TWO THOUSAND FOUR HUNDRED AND SEVENTEEN (2417) square metres,

Title deed/Titelakte

Deed of Transfer No. 20176/1973/Transportakte No. 20176/1973.

Conditions to be lapsed/Voorwaardes wat verval

(a) Subject to such of the terms and conditions of the original Government Grant No. 787, dated 1st April 1847, as are now in force and applicable.

(b) Subject to the following special conditions imposed by the Administrator in terms of Ordinance No. 27 of 1949 (as amended), as created in said Deed of Partition Transfer No. 5760/1960, dated 19th July, 1960 namely:

(i) Except with the consent of the Administrator, the land shall not be used for other than residential purposes.

(ii) No row of tenement houses, boarding house, hotel or block of residential flats and not more than one dwelling house, together with such outbuildings as are ordinarily used in conjunction therewith, shall be erected on the land without the consent of the Administrator. Upon registration of title of any subsequent subdivision of the said land which shall have been approved by the Administrator, this condition shall lapse in respect of such subdivision and thereafter shall apply to the remainder only.

(iii) The local authority shall, without compensation have the right to erect, lay and maintain electric wires and/or water supply piping over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension.

The rights conferred by this condition shall be exercisable by any local authority or other body or person legally authorised to supply electric current or water for the benefit of the inhabitants of the township.

If the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator, whose decision shall be final.

(iv) The local authority shall, without compensation have the right to construct and maintain sewers and drains over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension, and the owner of the land shall, without compensation, be obliged to allow the sewerage and drainage of any other land or street to be conveyed along such sewers and drains; provided that if the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator, whose decision shall be final.

(c) Subject to the following conditions imposed by the Administrator in terms of Ordinance No. 27 of 1949 (as amended) as created by endorsement on said Deed of Partition Transfer No. 5760/1960:

1. The local authority shall, without compensation, have the right to construct and maintain sewers and drains over or under the land along and within a distance of 3,05 metres on either side of the natural stream channel which traverses the land and shall have reasonable access thereto for the purpose of maintenance, removal or extension, and the owner of the land shall, without compensation, be obliged to allow the sewerage and drainage of any other land or street to be conveyed along such sewers and drains; provided that if the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator whose decision shall be final.

2. Where two or more pieces of land subject to similar conditions are consolidated with the consent of the Administrator such consent shall, in the absence of anything to the contrary therein, contained, involve the application of the conditions, previously imposed by the Administrator in terms of Ordinance No. 27 of 1949 (as amended) to the consolidated area as a whole.

Description of property/Beskrywing van eiendom

Remainder of Lot 192 of Newlands Township, situate in the City of Durban, County of Victoria, Province of Natal, in extent SIX THOUSAND NINE HUNDRED AND SEVENTEEN (6917) square metres,

Title deed/Titelakte

Deed of Transfer No. 6647/1974/Transportakte No. 6647/1974.

Conditions to be lapsed/Voorwaardes wat vervel

A. Subject to such of the terms and conditions of the original Government Grant No. 787 dated 1st April 1847 as are now in force and applicable.

B. Subject to the special conditions imposed by the Administrator in terms of Ordinance 27 of 1949 (as amended), as created in said Deed of Partition Transfer No. 5760/1960, namely:

i. Except with the consent of the Administrator the land shall not be used for other than residential purposes.

ii. No row of tenement houses, boarding house, hotel or block of residential flats and not more than one dwelling house, together with such outbuildings as are ordinarily used in conjunction therewith shall be erected on the land without the consent of the Administrator. Upon registration of title of any subsequent subdivision of the said land which shall have been approved by the Administrator, this condition shall lapse in respect of such subdivision and thereafter shall apply to the remainder only.

iii. The local authority shall, without compensation have the right to erect, lay and maintain electric wires and/or water supply piping over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension.

The right conferred by this condition shall be exercisable by any local authority or other body or person legally authorised to supply electric current or water for the benefit of the inhabitants of the township.

If the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator, whose decision shall be final.

iv. The local authority shall, without compensation have the right to construct and maintain sewers and drains over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension, and the owner of the land shall, without compensation, be obliged to allow the sewerage and drainage of any other land or street to be conveyed along such sewers and drains; provided that if the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator whose decision shall be final.

D. Subject to the following condition imposed by the Administrator in terms of Ordinance No. 27 of 1949 (as amended) as created by endorsement dated 25th July, 1962 on the said Deed of Partition Transfer No. 5760/1960, namely:

Where two or more pieces of land subject to similar conditions are consolidated with the consent of the Administrator, such consent shall, in the absence of anything to the contrary therein contained, involve the application of the conditions previously imposed by the Administrator in terms of Ordinance No. 27 of 1949 (as amended) to the consolidated area as a whole.

Description of property/Beskrywing van eiendom

Remainder of Lot 193 Newlands Township, situate in the City of Durban, County of Victoria, Province of Natal, in extent ONE THOUSAND ONE HUNDRED AND TEN (1110) square metres,

Title deed/Titelakte

Deed of Transfer No. 5412/1974/Transportakte No. 5412/1974.

Conditions to be lapsed/Voorwaardes wat vervel

(a) Subject to such of the terms and conditions of the original Government Grant No. 787, dated 1st April 1847, as are now in force and applicable.

(b) Subject to the following condition imposed by the Administrator in terms of Ordinance No. 27 of 1949 (as amended), as created by endorsement dated evenly herewith on Deed of Transfer No. 5421/1962:

(i) Where two or more pieces of land subject to similar conditions are consolidated with the consent of the Administrator such consent, shall, in the absence of anything to the contrary therein contained, involve the application of the conditions previously imposed by the Administrator in terms of Ordinance No. 27 of 1949 (as amended) to the consolidated area as a whole.

(ii) Except with the consent of the Administrator the land shall not be used for other than residential purposes.

(iii) No row of tenement houses, boarding house, hotel or block of residential flats and not more than one dwelling house, together with such outbuildings as are ordinarily used in conjunction therewith, shall be erected on the land without the consent of the Administrator. Upon registration of title of any subsequent subdivision of the said land which shall have been approved by the Administrator, this condition shall lapse in respect of such subdivision and thereafter shall apply to the remainder only.

(iv) The local authority shall, without compensation, have the right to erect, lay and maintain electric wires and/or water supply piping over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension.

The rights conferred by this condition shall be exercisable by any local authority or other body or person legally authorised to supply electric current or water for the benefit of the inhabitants of the township.

If the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator, whose decision shall be final.

(v) The local authority shall, without compensation have, the right to construct and maintain sewers and drains over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension, and the owner of the land shall, without compensation, be obliged to allow the sewerage and drainage of any other land or street to be conveyed along such sewers and drains; provided that if the owner of the land is aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator, whose decision shall be final.

(c) Subject to the following condition imposed by the Administrator in terms of Ordinance No. 27 of 1949 (as amended), as created by endorsement dated 7th March 1968 under Section 3 Act 10 of 1944, on Deed of Transfer No. 5421/1962, namely:

The owner of the land shall, without compensation, be obliged to permit such deposit of material or excavation on the land as may, in connection with the formation of any street and owing to differences in level between the land and the street, be deemed necessary by the local authority, in order to provide a safe and proper slope to the cut and fill commencing from the boundary of the land, unless he shall elect, at his own cost, to build a retaining wall to the satisfaction of the local authority.

Description of property/Beskrywing van eiendom

Lot 194 Newlands Township, situate in the City of Durban, County of Victoria, Province of Natal, in extent FOUR THOUSAND and NINETY SIX (4096) square metres,

Title deed/Titelakte

Deed of Transfer No. 12935/1974/Transportakte No. 12935/1974.

Conditions to be lapsed/Voorwaardes wat vervel

(a) Subject to such of the terms and conditions of the original Government Grant No. 787, dated 1st April 1847, as are now in force and applicable.

(b) Subject to a road servitude lettered A B C D E F G H on diagram S.G. No. 399/1958, imposed by the Administrator in terms of Ordinance No. 27 of 1949 and created by endorsement dated 19th July 1960 on Deed of Partition Transfer No. 5760/1960, under section 3, Act No. 10 of 1944.

Description of property/Beskrywing van eiendom

Sub 1 of Lot 195 Newlands Township, situate in the City of Durban, County of Victoria, Province of Natal, in extent TWENTY comma FIVE NOUGHT SIX NOUGHT (20,5060) hectares,

Title deed/Titelakte

Deed of Transfer No. 5123/1973/Transportakte No. 5123/1973

Conditions to be lapsed/Voorwaardes wat vervel

Subject to the terms of the original Government Grant No. 787 dated 1st April 1847, as are now in force and applicable.

Description of property/Beskrywing van eiendom

Lot 197 of Newlands Township, situate in the City of Durban, County of Victoria, Province of Natal, in extent FOUR comma FIVE THREE TWO FIVE (4,5325) hectares,

Title deed/Titelakte

Deed of Transfer No. 20287/1973/Transportakte No. 20287/1973.

Conditions to be lapsed/Voorwaardes wat vervel

Subject to such of the conditions of Deed of Grant No. 787 dated 1st April 1847, as are still in force and applicable.

Description of property/Beskrywing van eiendom

Lot 210 Newlands Township, situate in the City and County of Durban, Province of Natal, in extent SEVEN comma THREE SIX ONE ONE (7,3611) hectares,

Title deed/Titelakte

Deed of Transfer No. 12114/1974/Transportakte No. 12114/1974.

Conditions to be lapsed/Voorwaardes wat vervel

A. Subject to such of the terms and conditions of the original Government Grant No. 787 dated 1st April 1847, as are still in force and applicable.

D. Subject to a road servitude 24,38 metres wide, lettered e.f.g.h.j.k. on the diagram in favour of The Local Health Commission (Public Health Area of Newlands), as created by Notarial Deed of Servitude No. 223/1968S, dated 1st February 1968 and registered on 14th March 1968.

E. Subject to a road servitude lettered A.n.p.q.r.s.t. on the diagram in favour of The Local Health Commission (Public Health Area of Newlands), as created by Notarial Deed of Servitude No. 223/1968S, dated 1st February 1968 and registered on 14th March 1968.

Description of property/Beskrywing van eiendom

Lot 216 Newlands Township, situate in the City and County of Durban, Province of Natal, in extent SEVEN THOUSAND SEVEN HUNDRED AND SIXTY TWO (7 762) SQUARE METRES.

Title deed/Titelakte

Deed of Transfer No. 5718/1972/Transportakte No. 5718/1972.

Conditions to be lapsed/Voorwaardes wat verval

(a) Subject to the conditions of the original Government Grant No. 787 dated 1st April, 1847, in so far as still in force and applicable.

(b) With the benefit of the use of the Right of Way Servitude 6,10 metres wide over the Remainder of Lot E and the Remainder of Lot F of the said Lot 6, and over Lot G of the said Lot 6 as shown on the Subdivisional diagram of Lot 492 of Lot E of Lot 6 and lettered respectively FG, GH, Jk and as created in said Deed of Transfer No. 4300/1944.

Description of property/Beskrywing van eiendom

Lot 217 Newlands Township, situate in the City and County of Durban, Province of Natal, in extent EIGHT THOUSAND FOUR HUNDRED AND TWENTY EIGHT (8 428) SQUARE METRES.

Title deed/Titelakte

Deed of Transfer No. 5718/1972/Transportakte No. 5718/1972.

Conditions to be lapsed/Voorwaardes wat verval

(a) Subject to the conditions of the original Government Grant No. 787 dated 1st April, 1847, in so far as still in force and applicable.

(b) With the benefit of the use of the Right of Way Servitude 6,10 metres wide over the Remainder of Lot E and the Remainder of Lot F, of the said Lot 6 and over Lot G of the said Lot 6 as shown in the subdivisional diagram of said Lot 492 and lettered respectively FG, GH and JK, as created in said Deed of Transfer No. 4300/1944.

Description of property/Beskrywing van eiendom

Lot 219 Newlands Township, situate in the City of Durban, County of Victoria, Province of Natal, in extent Five comma Seven Eight Nine Eight (5,7898) hectares

Title deed/Titelakte

Deed of Transfer No. 2356/1974/Transportakte No. 2356/1974.

Conditions to be lapsed/Voorwaardes wat verval

1. Subject to the terms and conditions of the original Government Grant No. 787 dated 1st April, 1847, in so far as still in force and applicable.

2. Subject to the servitude of 3,66 metres wide road as shown on the diagram thereof in favour of the owners and/or occupiers of other subdivisions of Lot 6, as created in said Deed of Transfer No. 4839/1925 dated 19th November, 1925.

Description of property/Beskrywing van eiendom

Lot 220 Newlands Township, situate in the City of Durban, County of Victoria, Province of Natal, in extent FOUR decimal NOUGHT FOUR FIVE THREE (4,0453) hectares.

Title deed/Titelakte

Deed of Transfer No. 2266/1973/Transportakte No. 2266/1973.

Conditions to be lapsed/Voorwaardes wat verval

A. Subject to the terms and conditions of the original Government Grant No. 787 dated 1st April 1847, in so far as still in force and applicable.

B. Subject to the servitude of the 3,78 metre road as shown on the diagram thereof in favour of the owners and/or occupiers of the other subdivisions of Lot 6, as created in said Deed of Transfer No. 4839/1925, dated 19th November, 1965.

Description of property/Beskrywing van eiendom

Lot 234 Newlands Township, situate in the City of Durban, County of Victoria, Province of Natal, in extent Eight Thousand One Hundred and Fifty Three (8153) square metres;

Title deed/Titelakte

Deed of Transfer No. 64/1974/Transportakte No. 64/1974.

Conditions to be lapsed/Voorwaardes wat verval

(a) Subject to such of the terms and conditions of the original Government Grant No. 787, dated 1st April, 1847 as are still in force and applicable.

(b) Subject to the following special conditions imposed by the Administrator in terms of Ordinance No. 27 of 1949 as created in Certificate of Registered Title No. 4163/1968 dated 18th March, 1968, namely:

(1) Except with the consent of the Administrator the lot shall not be used for other than residential purposes.

(2) No row of tenement houses, semi-detached house, boardinghouse, hotel, or block of residential flats and not more than one dwelling house together with such outbuildings as are ordinarily used in conjunction therewith shall be erected on the lot without the consent of the Administrator. Upon registration of title of any subsequent subdivision of the said lot which shall have been approved by the Administrator, this condition shall lapse in respect of such subdivision and thereafter shall apply to the remainder only. Outbuildings shall not be used as places of residence except for bona fide servants necessarily and wholly employed upon the property.

(3) No building or structure of any kind whatsoever shall be erected on the lot unless the walls thereof are constructed of burnt brick, stone or concrete or of other permanent and fireproof material approved by the local authority; provided that a building, structure of fence or iron or asbestos sheeting or similar material fixed to a framework of wood or metal shall not be permitted.

(4) No building whatsoever unless permitted under exceptional circumstances and in writing by the local authority shall be erected on the lot within a distance of 7,62 metres from any boundary abutting on a street, nor within a distance of 1,83 metres from any other boundary.

(5) The local authority shall, without compensation have the right to erect, lay and maintain electric wires and/or water supply piping over or under the lot along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension.

The rights conferred by this condition shall be exercisable by any local authority or other body or person legally authorised to supply electric current or water for the benefit of the township.

If the owner of the lot be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator whose decision shall be final.

(6) The local authority shall without compensation have the right to construct and maintain sewers and drains over or under the lot along any boundary thereof other

than a road frontage and shall have reasonable access thereto for the purposes of maintenance, removal or extension, and the owner of the lot shall, without compensation be obliged to allow the sewerage and drainage of any lot or street to be conveyed along such sewers and drains; provided that if the owner of the lot be aggrieved by the unreasonable exercises of these rights, he shall have the right to appeal to the Administrator, whose decision shall be final.

(7) The owner of the lot shall, without compensation, be obliged to permit such deposit of material or excavation on the lot as may, in connection with the formation of any street in the township and owing to differences in level between the lot and the street, be deemed necessary by the local authority, in order to provide a safe and proper slope to the cut and fill commencing from the boundary of the lot, unless he shall elect at his own cost to build a retaining wall to the satisfaction of the local authority.

(c) Subject to a drainage servitude 3,05 metres wide in favour of the local authority and represented on General Plan 28 x 23 S.G. No. 4783/1964 approved by the Surveyor General on 24th February, 1965, the right being reserved to such local authority to use such land for drainage purposes and a right of access thereto for the purposes of maintenance and improvement, imposed at the instance of the Administrator in terms of Ordinance No. 27/1949 as created in the said Certificate of Registered Title No. 4163/1968.

Description of property/Beskrywing van eiendom

Lot 244 Newlands Township, situate in the City of Durban, County of Victoria, Province of Natal, in extent Three Thousand One Hundred and Sixteen (3116) square metres.

Title deed/Titelakte

Deed of Transfer No. 64/1974/Transportakte No. 64/1974.

Conditions to be lapsed/Voorwaardes wat vervel

(a) Subject to such of the terms and conditions of the original Government Grant No. 787, dated 1st April, 1847 as are still in force and applicable.

(b) Subject to the following special conditions imposed by the Administrator in terms of Ordinance No. 27 of 1949 as created in Certificate of Registered Title No. 4163/1968 dated 18th March, 1968, namely:

(1) Except with the consent of the Administrator the lot shall not be used for other than residential purposes.

(2) No row of tenement houses, semi-detached house, boarding-house, hotel, or block of residential flats and not more than one dwelling house together with such outbuildings as are ordinarily used in conjunction therewith shall be erected on the lot without the consent of the Administrator. Upon registration of title of any subsequent subdivision of the said lot which shall have been approved by the Administrator, this condition shall lapse in respect of such subdivision and thereafter shall apply to the remainder only. Outbuildings shall not be used as places of residence except for bona fide servants necessarily and wholly employed upon the property.

(3) No building or structure of any kind whatsoever shall be erected on the lot unless the walls thereof are constructed of burnt brick, stone or concrete or of other permanent and fireproof material approved by the local authority; provided that a building, structure or fence or iron or asbestos sheeting or similar material fixed to a framework of wood or metal shall not be permitted.

(4) No building whatsoever unless permitted under exceptional circumstances and in writing by the local authority shall be erected on the lot within a distance of

7,62 metres from any boundary abutting on a street, nor within a distance of 1,83 metres from any other boundary.

(5) The local authority shall, without compensation have the right to erect, lay and maintain electric wires and/or water supply piping over or under the lot along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension.

The rights conferred by this condition shall be exercisable by any local authority or other body or person legally authorised to supply electric current or water for the benefit of the township.

If the owner of the lot be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator whose decision shall be final.

(6) The local authority shall without compensation have the right to construct and maintain sewers and drains over or under the lot along any boundary thereof other than a road frontage and shall have reasonable access thereto for the purposes of maintenance, removal or extension, and the owner of the lot shall, without compensation be obliged to allow the sewerage and drainage of any lot or street to be conveyed along such sewers and drains; provided that if the owner of the lot be aggrieved by the unreasonable exercises of these rights, he shall have the right to appeal to the Administrator, whose decision shall be final.

(7) The owner of the lot shall, without compensation, be obliged to permit such deposit of material or excavation on the lot as may, in connection with the formation of any street in the township and owing to differences in level between the lot and the street, be deemed necessary by the local authority, in order to provide a safe and proper slope to the cut and fill commencing from the boundary of the lot, unless he shall elect at his own cost to build a retaining wall to the satisfaction of the local authority.

Description of property/Beskrywing van eiendom

Remainder of Lot 248 Newlands Township, situate in the City of Durban, County of Victoria, Province of Natal, in extent EIGHT THOUSAND AND EIGHTY SEVEN (8087) square metres.

Title deed/Titelakte

Deed of Transfer No. 2844/1974/Transportakte No. 2844/1974.

Conditions to be lapsed/Voorwaardes wat vervel

1. Subject to such of the terms and conditions of the original Government Grant No. 787 dated 1st April 1847 as are still in force and applicable.

2. Subject to the following conditions imposed by the Administrator in terms of Ordinance No. 10/1934, as created in said Deed of Transfer No. 3703/1954:

(a) This subdivision shall not be subdivided without the consent of the Administrator.

(b) Not more than one dwelling house with the necessary outbuildings shall be erected on this subdivision without the consent of the Administrator.

(c) No trade or business shall be conducted on this subdivision without the consent of the Administrator.

3. With the benefit of a 3,05 metre wide sewer and drain servitude over the remainder of the said Lot 5 lettered A F G H J K on the diagram of the said Sub 726, as created in said Deed of Transfer No. 3703/1954.

Description of property/Beskrywing van eiendom

Sub 4 (of 1) of Lot 255 Newlands Township, situate in the City of Durban, County of Victoria, Province of Natal, in extent SIX THOUSAND THREE HUNDRED AND TEN (6310) square metres.

Title deed/Titelakte

Deed of Transfer No. 7002/1974/Transportakte No. 7002/1974.

Conditions to be lapsed/Voorwaardes wat vervel

A. Subject to such of the terms and conditions of the original Government Grant No. 787 dated 1st April 1847, as are still in force and applicable.

C. Subject to the following conditions imposed by the Administrator in terms of Ordinance No. 27 of 1949 (as amended) under reference No. PTB. 4/3908, as created in Deed of Transfer No. 15538/1971 dated 8th September, 1971, namely:

1. The local authority shall, without compensation, have the right to erect, lay and maintain electric wires and/or water supply piping over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary and shall have reasonable access thereto, for the purpose of maintenance, removal or extension. The rights conferred by this condition shall be exercisable by any local authority or other body or person legally authorised to supply electric current for the benefit of the inhabitants of the township.

If the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator, whose decision shall be final.

2. The local authority shall, without compensation, have the right to construct and maintain sewers and drains over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension, and the owner of the land shall, without compensation, be obliged to allow the sewerage and drainage of any other land or street to be conveyed along such sewers and drains; provided that if the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator, whose decision shall be final.

3. No building whatsoever, unless permitted under exceptional circumstances and in writing by the local authority, shall be erected on the land within a distance of 7,62 metres from any boundary abutting on a road, nor within a distance of 1,83 metres from any other boundary.

4. Except with the consent of the Administrator, the land shall not be used for other than a residential purposes.

5. No row of tenement houses, boarding house, hotel or block of residential flats and not more than one dwelling house together with such outbuildings as are ordinarily used in conjunction therewith, shall be erected on the land without the consent of the Administrator. Upon registration of title of any subsequent subdivision of the said land which shall have been approved by the Administrator, this condition shall lapse in respect of such subdivision and thereafter shall apply to the remainder only.

6. Where two or more pieces of land subject to similar conditions imposed at the instance of the Administrator are consolidated, such conditions shall apply to the consolidated area as a whole.

7. The owner of the land shall, without compensation be, obliged to permit such deposit of material or excavation of the land as may, in connection with the formation of any street and owing to differences in level between the land and the street, be deemed necessary by the local authority, in order to provide a safe and proper slope to the cut and fill commencing from the boundary of the land, unless he shall elect, at his own cost, to build a retaining wall to the satisfaction of the local authority.

8. The local authority shall, without compensation, have the right to construct and maintain sewers and drains over or under the land along and within a distance of 3,05 metres on either side of the natural stream channel which traverses the land and is represented by the figure lettered abdefghijklmn on the diagram S.G. No. 3097/1966 and shall have reasonable access thereto for the purpose of maintenance, removal or extension, and the owner of the land, shall, without compensation, be obliged to allow the sewerage and drainage of any other land or street to be conveyed along such sewers and drains; provided that if the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator, whose decision shall be final.

Description of property/Beskrywing van eiendom

An undivided three-quarter share of the Remainder of Sub 255 Newlands Township, situate in the City of Durban, County of Victoria, Province of Natal, in extent TWO comma NOUGHT SIX SEVEN SIX (2,0676) hectares.

Title deed/Titelakte

Deed of Transfer No. 7423/1973/Transportakte No. 7423/1973.

Conditions to be lapsed/Voorwaardes wat vervel

A. Subject to such of the terms and conditions of the original Government Grant No. 787 dated the 1st day of April 1847, as are still in force and applicable.

B. Subject to the following conditions imposed at the instance of the Administrator in terms of Ordinance No. 27 of 1949 (as amended), as created in Deed of Partition Transfer No. 17145/1965, dated 6th December 1965, namely:

1. The Local Authority shall, without compensation, have the right to erect, lay and maintain electric wires and/or water supply piping over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metre from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension. The rights conferred by this condition shall be exercisable by any local authority or other body or person legally authorised to supply electric current for the benefit of the inhabitants of the township.

If the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator whose decision shall be final.

2. The local authority shall, without compensation, have the right to construct and maintain sewers and drains over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metre from such boundary and shall have reasonable access thereto for the purpose of maintenance removal or extension, and the owner of the land shall, without compensation, be obliged to allow the sewerage and drainage of any other land or street to be conveyed along such sewers and drains; provided that if the owner of the land be aggrieved by the unreasonable exercise of these rights, he shall have the right of appeal to the Administrator, whose decision shall be final.

3. No building whatsoever, unless permitted under exceptional circumstances and in writing by the local authority, shall be erected on the land within a distance of 7,62 metres from any boundary abutting on a road, nor within a distance of 1,83 metres from any other boundary.

4. Except with the consent of the Administrator, the land shall not be used for other than residential purposes.

5. No row of tenement houses, boarding houses, hotel or block of residential flats and not more than one dwelling house together with such outbuildings as are ordinarily used in conjunction therewith, shall be erected on the land without the consent of the Administrator. Upon registration of title of any subsequent subdivision of the said land which shall have been approved by the Administrator, this condition shall lapse in respect of such subdivision and thereafter shall apply to the remainder only.

Description of property/Beskrywing van eiendom

Lot 259 Newlands Township, situate in the City and County of Durban, Province of Natal, in extent FOUR COMMA FIVE EIGHT SIX EIGHT (4,5868) HECTARES:

Title deed/Titelakte

Deed of Transfer No. 20292/1973/Transportakte No. 20292/1973.

Conditions to be lapsed/Voorwaardes wat verval

(a) Subject to the conditions of the original Government Grant No. 787 dated 1st April, 1847, in so far as still in force and applicable.

Description of property/Beskrywing van eiendom

Sub 2 of Lot 268 Newlands Township, situate in the City of Durban, County of Victoria, Province of Natal, in extent TWO comma EIGHT THREE TWO EIGHT (2,8328) hectares;

Title deed/Titelakte

Deed of Transfer No. 11574/1974/Transportakte No. 11574/1974.

A. Subject to such of the terms and conditions of the original Government Grant No. 787, dated 1st April, 1847, as are still in force and applicable.

B. Subject to a road servitude 18,29 metres wide lettered E F G H on the diagram in favour of the General Public, imposed at the instance of the Administrator in terms of Ordinance No. 27 of 1949 (as amended) and created by endorsement dated 6th December, 1965 on the Certificate of Consolidated Title No. 17142/1965 dated 6th December, 1965.

C. Subject to the following conditions imposed at the instance of the Administrator in terms of Ordinance No. 27 of 1949 (as amended) as created in Deed of Partition Transfer No. 17147/1965, namely:

1. Except with the consent of the Administrator, the land shall not be used for other than residential purposes.

2. No row of tenement houses, boarding house, hotel or block of residential flats and not more than one dwelling house, together with such outbuildings as are ordinarily used in conjunction therewith, shall be erected on the land without the consent of the Administrator. Upon registration of title of any subsequent subdivision of the said land which shall have been approved by the Administrator, this condition shall lapse in respect of such subdivision and thereafter shall apply to the remainder only.

3. The local authority, shall, without compensation, have the right to erect, lay and maintain electric wires and/or water supply piping over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension. The rights conferred by this condition shall be exercisable by any local authority or other body or person legally authorised to supply electric current or water for the benefit of the inhabitants of the township.

If the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator, whose decision shall be final.

4. The local authority shall, without compensation have the right to construct and maintain sewers and drains over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension, and the owner of the land shall, without compensation, be obliged to allow the sewerage and drainage of any other land or street to be conveyed along such sewers and drains; provided that if the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator, whose decision shall be final.

Description of property/Beskrywing van eiendom

Sub 4 (of 1) of Lot 268 Newlands Township, situate in the City of Durban, County of Victoria, Province of Natal, in extent ONE comma SIX NOUGHT FOUR TWO (1,6042) hectares,

Title deed/Titelakte

Deed of Transfer No. 4740/1974/Transportakte No. 4740/1974.

Conditions to be lapsed/Voorwaardes wat verval

(a) Subject to such of the terms and conditions of the original Government Grant No. 787 dated 1st April 1847, as are now in force and applicable.

(b) Subject to the following conditions imposed by the Administrator under Ordinance No. 27 of 1949 (as amended), created in Deed of Transfer No. 5235/1971 dated 17th March 1971, namely:

1. Except with the consent of the Administrator, the land shall not be used for other than residential purposes.

2. No row of tenement houses, boarding house, hotel or block of residential flats and not more than one dwelling house, together with such outbuildings as are ordinarily used in conjunction therewith, shall be erected on the land without the consent of the Administrator. Upon registration of title of any subsequent subdivision of the said land which shall have been approved by the Administrator, this condition shall lapse in respect of such subdivision and thereafter shall apply to the Remainder only.

3. The local authority shall, without compensation, have the right to erect, lay and maintain electric wires and/or water supply piping over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension. The rights conferred by this condition shall be exercisable by the local authority or other body or person legally authorised to supply electric current or water for the benefit of the inhabitants of the township.

If the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator, whose decision shall be final.

4. The local authority shall, without compensation, have the right to construct and maintain sewers and drains over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension, and the owner of the land shall, without

compensation, be obliged to allow the sewerage and drainage of any other land or street to be conveyed along such sewers and drains; provided that if the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator, whose decision shall be final.

(c) Subject to the following special condition imposed by the Administrator for the Province of Natal in terms of the Town Planning Ordinance No. 27 of 1949 (as amended), in favour of the Local Authority, as created in said Deed of Transfer No. 5235/1971, namely:

The local authority shall, without compensation, have the right to construct and maintain sewers and drains over or under the land along and within a distance of 3,05 metres on either side of the natural stream channel which traverses the land and is represented by the figure lettered m. irregular line 3,05 metres from middle of stream n.o. irregular line p. on diagram S.G. No. 2278/1967 of the said Sub 4, and shall have reasonable access thereto for the purpose of maintenance, removal or extension, and the owner of the land shall, without compensation, be obliged to allow the sewerage and drainage of any other land or street to be conveyed along such sewers and drains; provided that if the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator whose decision shall be final.

(d) Subject to the right of access to and the use of any water supply and/or electricity supply on the said Sub 4 in favour of the Remainder of 1 of Lot 268 Newlands Township, as created in said Deed of Transfer No. 5235/1971.

(e) With the benefit of the right of access to and the use of any water supply and/or electricity supply on the Remainder of 1 of Lot 268 Newlands Township, as created in said Deed of Transfer No. 5235/1971.

(f) Subject to the special conditions imposed by the Administrator for the Province of Natal in terms of Town Planning Ordinance No. 27 of 1949 (as amended), as created in said Deed of Transfer No. 5235/1971, namely:

1. Where two or more pieces of land subject to similar conditions imposed at the instance of the Administrator are consolidated, such condition shall apply to the consolidated area as a whole.

2. The owner of the land shall, without compensation, be obliged to permit such deposit of material or excavation on the land as may, in connection with the formation of any street and owing to differences in level between the land and the street, be deemed necessary by the local authority, in order to provide a safe and proper slope to the cut and fill commencing from the boundary of the land, unless he shall elect, at his own cost, to build a retaining wall to the satisfaction of the local authority.

(g) Subject to the following road servitudes as imposed by the Administrator for the Province of Natal in terms of Town Planning Ordinance No. 27 of 1949 (as amended), in favour of the Local Authority, as created in said Deed of Transfer No. 5235/1971:

1. A Road Servitude 18,29 metres wide represented by the figure a b c d on diagram S.G. No. 2278/1967 of the said Sub 4.

2. A Road Servitude 18,29 metres wide represented by the figure e f g h on diagram S.G. No. 2278/1967 of the said Sub 4.

3. A Road Servitude 3,05 metres wide represented by the figure jklCDE on diagram S.G. No. 2278/1967 of the said Sub 4.

Description of property/Beskrywing van eiendom

Sub 1 of Lot 361 Newlands Township, situate in the City of Durban, County of Victoria, Province of Natal, in extent One Thousand Five Hundred and Seventy Three (1573) square metres;

Title deed/Titelakte

Deed of Transfer No. 8005/1974/Transportakte No. 8005/1974.

Conditions to be lapsed/Voorwaardes wat vervel

A. Subject to such of the terms and conditions of the original Government Grant No. 788 dated 1st April 1887 as are still in force and applicable.

B. Subject to the following special conditions imposed by the Administrator under the provisions of the Town Planning Ordinance No. 27 of 1949 (as amended), as created in the said Deed of Transfer No. 3105/1968:

1. Except with the consent of the Administrator the land shall not be used for other than residential purposes.

2. No row of tenement house, boarding house, semi-detached house, hotel or block of residential flats and not more than one dwelling house together with such outbuildings as are ordinarily used in conjunction therewith, shall be erected on the land without the consent of the Administrator. Upon registration of title of any subsequent subdivision of the said land which shall have been approved by the Administrator, this condition shall lapse in respect of such subdivision and thereafter shall apply to the remainder only.

3. The Local Authority shall, without compensation have the right to erect, lay and maintain electric wires and/or water supply piping over or under the land along any boundary thereof other than a road frontage and within a distance of one comma eight three metres from such boundary and shall have reasonable access thereto for the purposes of maintenance, removal or extension. Maintenance shall include trimming, cutting or otherwise dealing with trees so as to prevent interference with the electric wires. The rights conferred by this condition shall be exercisable by any local authority or other body or person legally authorised to supply electric current or water for the benefit of the inhabitants of the township.

If the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator whose decision shall be final.

If the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator whose decision shall be final.

4. The Local Authority shall, without compensation have the right to construct and maintain sewers and drains over or under the land along any boundary thereof other than a road frontage and within a distance of one comma eight three metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension, and the owner of the land shall, without compensation be obliged to allow the sewerage and drainage of any other land or street to be conveyed along such sewers and drains; provided that if the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator whose decision shall be final.

5. Where two or more pieces of land subject to similar conditions imposed at the instance of the Administrator are consolidated, such conditions shall apply to the consolidated area as a whole.

6. The owner of the land shall, without compensation be obliged to permit such deposit of material or excavation on the land as may, in connection with the formation of any street and owing to differences in level between the land and the street, be deemed necessary by the local authority in order to provide a safe and proper slope to the cut and fill commencing from the boundary of the land unless he shall elect, at his own cost to build a retaining wall to the satisfaction of the local authority.

Description of property/Beskrywing van eiendom

Sub 2 of Lot 361 Newlands Township, situate in the City of Durban, County of Victoria, Province of Natal, in extent One Thousand Six Hundred and Twenty Three (1623) square metres,

Title deed/Titelakte

Deed of Transfer No. 8851/1974/Transportakte No. 8851/1974.

Conditions to be lapsed/Voorwaardes wat vervel

(a) Subject to such terms and conditions of the original Government Grant No. 788 dated 1st April, 1887 as are still in force and applicable.

(c) Subject to the following special conditions imposed by the Administrator under the provisions of the Town Planning Ordinance No. 27 of 1949, as created in said Deed of Transfer No. 3106/1968.

i. Except with the consent of the Administrator the land shall not be used for other than residential purposes.

ii. No row of tenement house, boarding house, semi-detached house, hotel or block of residential flats and not more than one dwelling house together with such outbuildings as are ordinarily used in conjunction therewith, shall be erected upon the land without the consent of the Administrator. Upon registration of title of any subsequent subdivision of the said land which shall have been approved by the Administrator, this condition shall lapse in respect of such subdivision and thereafter shall apply to the remainder only.

iii. The Local Authority shall, without compensation, have the right to erect, lay and maintain electric wires and/or water supply piping over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension. Maintenance shall include trimming, cutting or otherwise dealing with trees so as to prevent interference with the electric wires. The rights conferred by this condition shall be exercised by any Local Authority or other body or person legally authorised to supply electric current or water for the benefit of the inhabitants of the township.

If the owner of the land be aggrieved by the unreasonable exercise of these rights, he shall have the right of appeal to the Administrator whose decision shall be final.

iv. The Local Authority shall, without compensation have the right to construct and maintain sewers and drains over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension, and the owner of the land shall, without compensation, be obliged to allow the sewerage and drainage of any other land or street to be conveyed along such sewers and drains; provided that if the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator whose decision shall be final.

v. Where two or more pieces of land subject to similar conditions imposed at the instance of the Administrator

are consolidated, such conditions shall apply to the consolidated area as a whole.

vi. The owner of the land shall, without compensation be obliged to permit such deposit of material or excavation on the land as may, in connection with the formation of any street and owing to differences in level between the land and the street be deemed necessary by the Local Authority in order to provide a safe and proper slope to the cut and fill commencing from the boundary of the land unless he shall elect at his own cost to build a retaining wall to the satisfaction of the Local Authority.

Description of property/Beskrywing van eiendom

Sub 6 of Lot 361 Newlands Township, situate in the County of Victoria, Province of Natal, in extent Five Thousand Eight Hundred and Ninety Five (5895) Square Metres,

Title deed/Titelakte

Deed of Transfer No. 3216/1974/Tansportakte No. 3216/1974.

Conditions to be lapsed/Voorwaardes wat vervel

A. Subject to such of the terms and conditions of the Original Government Grant No. 788 dated 1st April, 1887 as are still in force and applicable.

B. Subject to the following Conditions imposed by the Administrator under the Provisions of Ordinance No. 27 of 1949 as created by endorsement dated 22nd February 1968 in terms of Section 3 of Act 10 of 1944 on Certificate of Consolidated Title No. 13841/1965:

1. Except with the consent of the Administrator, the land shall not be used for other than residential purposes.

2. No row of tenement house, boarding house, semi-detached house, hotel, or block of residential flats and not more than one dwelling house, together with such outbuildings as are ordinarily used in conjunction therewith, shall be erected on the land without the consent of the Administrator. Upon registration of title of any subsequent subdivision of the said land which shall have been approved by the Administrator, this condition shall lapse in respect of such subdivision and thereafter shall apply to the remainder only.

3. The Local Authority shall, without compensation have the right to erect, lay and maintain electric wires and/or water supply piping over or under the land along any boundary thereof other than a road frontage and within a distance of six feet, from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension. Maintenance shall include trimming, cutting or otherwise dealing with trees so as to prevent interference with the electric wires. The rights conferred by this condition shall be exercisable by any local Authority or other body or person legally authorised to supply electric current or water for the benefit of the inhabitants of the township.

If the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right to appeal to the Administrator, whose decision shall be final.

4. The Local Authority shall, without compensation, have the right to construct and maintain sewers and drains over and under the land along any boundary thereof other than a road frontage and within a distance of six feet from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension, and the owner of the land shall, without compensation, be obliged to allow the sewerage and drainage of any other land or street to be conveyed along such sewers and drains; provided that if the owner

of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator, whose decision shall be final.

5. Where two or more pieces of land subject to similar conditions imposed at the instance of the Administrator are consolidated, such conditions shall apply to the consolidated area as a whole.

6. The owner of the land shall, without compensation, be obliged to permit such deposit of material or excavation on the land as may in connection with the formation of any street, be deemed necessary by the local authority, in order to provide a safe and proper slope to the cut and fill commencing from the boundary of the land, unless he shall elect, at his own cost to build a retaining wall to the satisfaction of the local authority.

Description of property/Beskrywing van eiendom

Lot 587 Newlands Township (Extension No. 5) situate in the City of Durban, County of Victoria, Province of Natal, in extent One Thousand Two Hundred and Twenty (1220) square metres;

Title deed/Titelakte

Deed of Transfer No. 4384/1974/Transportakte No. 4384/1974.

Conditions to be lapsed/Voorwaardes wat verval

A. Subject to the whole terms and conditions in so far as still in force and applicable contained in the original Government Grant No. 788 dated 1st April 1847.

B. Subject to the following special conditions imposed by the Administrator under P.T.S. 76/1963 and created by endorsement dated 25th January, 1966 on Deed of Transfer No. 12949/1965 in terms of Section 3 of Act No. 10/1944:

1. Except with the consent of the Administrator the land shall not be used for other than residential purposes.

2. No row of tenement house, semi-detached house, boarding house, hotel or block of residential flats shall be erected on the land without the consent of the Administrator.

3. Except with the written consent of the Local Authority not more than one dwelling house, together with such outbuildings as are ordinarily used in conjunction therewith shall be erected on the land.

4. The local authority shall, without compensation, have the right to erect, lay and maintain electric wires and/or water supply piping over or under the land along any boundary thereof other than a road frontage and within a distance of one comma eight three metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension.

The rights conferred by this condition shall be exercisable by any local authority or other body or person legally authorised to supply electric current or water for the benefit of the inhabitants of the township.

If the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator, whose decision shall be final.

5. The Local Authority shall, without compensation, have the right to construct and maintain sewers and drains over or under the land along any boundary thereof other than a road frontage and within a distance of one comma eight three metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension, and the owner of the land shall, without compensation, be obliged to allow the sewerage and drainage of any other land or street to be conveyed along such sewers and drains; provided that if the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator, whose decision shall be final.

6. Where two or more pieces of land subject to similar conditions imposed at the instance of the Administrator are consolidated, such conditions shall apply to the consolidated area as a whole.

7. The owner of the land shall, without compensation, be obliged to permit such deposit of material or excavation on the land as may, in connection with the formation of any street and owing to differences in level between the land and the street, be deemed necessary by the local authority, in order to provide a safe and proper slope to cut and fill commencing from the boundary of the land, unless he shall elect, at his own cost, to build a retaining wall to the satisfaction of the local authority.

C. Subject to a road Servitude Eighteen comma eight nine (18,89) metres wide lettered ABCDEFGH on Servitude Diagram S.G. No. 1157/1966 together with ancillary rights in favour of the Local Health Commission as created in Notarial Deed No. 508/1967s dated 3rd August 1967 and registered on the 14th August, 1967.

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