



THE PROVINCE OF MPUMALANGA
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CONTENTS

<i>No.</i>	<i>Page No.</i>	<i>Gazette No.</i>
LOCAL AUTHORITY NOTICE		
15 Town-planning and Townships Ordinance (15/1986): Thaba Chweu Municipality: Declaration as approved township: Lydenburg Extension 48	3	1501

LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 15

THABA CHWEU MUNICIPALITY
 LYDENBURG ADMINISTRATIVE UNIT
 PROPOSED LYDENBURG EXTENSION 48

DECLARATION AS APPROVED TOWNSHIP

In terms of the provisions of Section 103(1) of the Town Planning and Townships Ordinance, 1986, the Thaba Chweu Municipality, Lydenburg Administrative Unit, hereby declares LYDENBURG EXTENSION 47 township situated on Portion 179 (a Portion of Portion 146) of the farm Townlands of Lydenburg 31 J.T. to be an approved township, subject to the conditions set out in the Schedule hereto.

SCHEDULE

1 CONDITIONS OF ESTABLISHMENT

- (1) **NAME**
 The name of the township shall be Lydenburg Extension 47.
- (2) **DESIGN**
 The township shall consist of erven and streets as indicate on General Plan S.G. No. 2828/2005.
- (3) **DEMOLITION OF BUILDINGS AND STRUCTURES**
 The township owner shall at his own expense cause all existing buildings and structures situated within the building line reserves, side spaces or over common boundaries to be demolished to the satisfaction of the local authority, when required by the local authority to do so.
- (4) **OBLIGATIONS IN REGARD TO ESSENTIAL SERVICES AND THE RESTRICTION ON THE DISPOSAL OF ERVEN**
 No erven shall be disposed of or transferred in the name of the buyer before the Thaba Chweu Municipality, Lydenburg Administrative Unit confirmed that the essential services have been installed.

2. DISPOSAL OF EXISTING CONDITIONS OF TITLE

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

- (1) **REGARDING PORTION 144 (A PORTION OF PORTION 39) OF THE FARM TOWNLANDS OF LYDENBURG 31 REGISTRATION DIVISION J.T. PROVINCE OF MPUMALANGA**
 - "A. The former Portion 39 of the farm TOWNLANDS OF LYDENBURG No 31 J.T. of which the property transferred herewith forms a part, is subject to the following conditions:
 - (a) **SUBJECT** to the provisions of certain Contract entered into the 24th May 1983, between the GOVERNMENT OF THE TRANSVAAL and certain PHILLIPUS JEREMIAS COETSER, Senior, PIETER WILLEM COETSER and JAN PETRUS COETSER, as owners of Portion of the farm STERKSPRUIT No 33, Registration Division J T, district Lydenburg, relative to a water furrow leading from the said farm STERKSPRUIT to the town of Lydenburg, which Contract is registered in the Deeds Office, PRETORIA, under No 614/1896.
 - (b) **ENTITLED** to certain rights of water furrow pipeline and aqueduct over certain portions of the farm STERKSPRUIT No 33, Registration Division J T, district Lydenburg, as will more fully appear from Notarial Deed No 177/1934-5, registered on the 16th April, 1934.
 - B. The former Remaining Extent of Portion in extent 7104,8229 hectares of the farm Townlands of Lydenburg No 31 J.T. as indicated on diagram S.G. No. A4157/1943, of which the property hereby transferred forms a portion is subject to the following conditions:

- (a) Subject to the perpetual right to lay and maintain a line of pipes and right to water in favour of the Government for Railway purposes, as will more fully appear from Notarial Deed No. 999/1919S registered on the 10th December 1919.
- (b) CERTAIN Portions of the said portion referred to above under this paragraph, have been leased to the Lydenburg Gholf Club, as will more fully appear from Notarial Lease No. K1306/1940S registered on the 29th November 1940, which Notarial Lease was extended by Notarial Lease No. K1904/1983L registered on 28th July 1983 for a period of 30 years as from 1st January 1982.
- Kragtens Notariële Akte van Verlenging en Wysiging van Huurooreenkoms, K665/1996L gedateer 8 Januarie 1996, word paragraaf 1 op bladsy 4 gewysig van die bestaande huurooreenkoms, daarin dat die huurtermyn verleng word met 30 jaar en ten einde loop op 31 Desember 2040. Verder word paragraaf 4.1 en 4.2 geskrap op bladsy 6 van K1904/1983L en verder word 'n voorkeepsreg ten gunste van die verhuurder geskep onderhewig aan sodanige voorwaardes as wat uit die Notariële Akte K665/1996L blyk.
- (c) The former Remaining Extent, measuring 7105,2040 hectares, of which portion 39 is the new Remaining Extent, is subject to a perpetual servitude of pipeline in favour of the Government (SAR & H) as will more fully appear from the Notarial Deed No. 20/1942S registered on the 19th January 1943, a copy whereof is annexed to Crown Grant 214/1906.
- (d) By Notarial Deed No 487/53S dated 18 June 1958 the abovementioned property has been granted a servitude of pipeline, waterfurrow and other rights more fully described by the letters Abx on diagram annexed to the said Notarial Deed over portion 57 (a portion of portion 1) called Marmer of Portion N of Portion, the Remaining Extent of Portion 1 called Marmer of Portion N of Portion and Portion 2 of Portion N of Portion Sterkspruit No. 33, Registration Division J.T., district Lydenburg.
- (e) By Notarial Deed No. K840/1936S the right has been granted to EVKOM to convey electricity over the property hereby conveyed, together with the erection of a transformer building, and ancillary rights and subject to conditions, as will more fully appear on reference to said Notarial Deed.
- (f) By Notarial Deed K1330/1976 the property is subject to a servitude of pipeline 2 metres wide represented by the line A B on diagram S.G. No 4186/73 in favour of Shell and BP Service Company (Pty) Ltd.
- (g) By Notarial Deed No. K1331/1976S the right has been granted to EVKOM to convey electricity over the property hereby conveyed, together with ancillary rights and subject to conditions, as will more fully appear on reference to said Notarial Deed.
- (h) By Notarial Deed No. K2341/1976S the right has been granted to EVKOM to convey electricity over the property hereby conveyed, together with ancillary rights and subject to conditions, as will more fully appear on reference to said Notarial Deed.
- (i) By Notarial Deed No. K2342/1976S the right has been granted to EVKOM to convey electricity over the property hereby conveyed, together with ancillary rights and subject to conditions, as will more fully appear on reference to said Notarial Deed.
- (j) By Notarial Deed No. K2343/1976S the right has been granted to EVKOM to convey electricity over the property hereby conveyed, together with

ancillary rights and subject to conditions, as will more fully appear on reference to said Notarial Deed.

- (k) Onderhewig aan Sertifikaat van Minerale Regte K858/1985RM waarkragtens alle regte op minerale voorbehou is ten opsigte van die Restant van Gedeelte 39 van die plaas Townlands of Lydenburg No. 31, Registrasie Afdeling JT, groot 6224, 9541 hektaar.
 - (l) By Notarial Deed K2826/87 the property is subject to a servitude in favour of the SABC in extent 233 square metres as indicated by the figure ABCDA on S.G. No. A7531/86.
 - (m) By Notarial Deed K2357/89S the property is subject to a servitude of shooting range in favour of The Republic of South Africa indicated by the figure A B C D E F G H J A on diagram S.G. No. A879/85.
 - (n) By virtue of Notice of Appropriation EX 437/1987 a portion in extent 710 (seven hundred and ten) square metres was expropriated by the South African Railway Services and Harbours Administration.
 - (o) By Notarial Lease K1295/97L a portion of the property measuring 6,3615 hectares has been leased to River Runs Through Lodges (Pty) Ltd for 50 years from 1 March 1995, which area is indicated on diagram S.G. No 3978/95.
 - (p) Kragtens K800/1999S gedaeer 5 Februarie 1999 is die binnegemelde eiendom onderhewig aan 'n kraglynserwituut ten gunste van ESKOM met bykomende regte, soos meer volledig sal blyk uit genoemde serwituut met kaart daaraangeheg, welke roete bepaal is deur Notariële Akte van Roetebepaling K6063/1999S gedateer 7 Desember 1999, synde die lyne Ab (middel van dorpsrivier) en cDd op kaart LG No. 2372/1999 en wydte van die serwituut synde 18 meter aan albei kante van die gemelde lyne.
- (2) REGARDING PORTION 145 (A PORTION OF PORTION 79) OF THE FARM TOWNLANDS OF LYDENBURG 31 REGISTRATION DIVISION J.T. PROVINCE OF MPUMALANGA

"The former Portion 79 (a portion of portion 39) of the farm TOWNLANDS OF LYDENBURG 31 (of which the property transferred herewith forms a part), is subject to the following conditions:

- A. SUBJECT to the Provisions of certain Contract entered into the 24th May 1983, between the GOVERNMENT OF THE TRANSVAAL and certain PHILLIPUS JEREMIAS COETSER, Senior, PIETER WILLEM COETSER and JAN PETRUS COETSER, as owners of Portion of the farm STERKSPRUIT No 33, Registration Division J T, district Lydenburg, relative to a water furrow leading from the said farm STERKSPRUIT to the town of Lydenburg, which Contract is registered in the Deeds Office, PRETORIA, under No 614/1896.
- B. ENTITLED to certain rights of water furrow pipeline and aqueduct over certain portions of the farm STERKSPRUIT No 33, Registration Division J T, district Lydenburg, as will more fully appear from Notarial Deed no 177/1934-S, registered on the 16th April, 1934.
- C. By Notarial Deed No 487/53 S dated 18th June 1953 and registered on 20th June 1953, the said property has been granted a servitude of pipeline, waterfurrow and other rights more fully described by the letters A B X on diagram annexed to the said Notarial Deed over Portion 57 (a Portion of Portion 1 called Marmer of Portion N of Portion); the Remaining Extent of Portion 1 called Marmer of Portion N of Portion and Portion 2 of Portion N of Portion STERKSPRUIT No 33, Registration Division J T, district Lydenburg.
- D. Kragtens Notariële Akte Nr 840/1963S, geregistreer op die 23ste Augustus 1963, is die reg aan die ELEKTRISITEITSVOORSIENINGSKOMMISSIE verleen om elektrisiteit oor die RESTERENDE GEDEELTE VAN GEDEELTE 39, van die plaas "TOWNLANDS OF LYDENBURG" Nr 31, Registrasie Afdeling J T, groot 6924,2381 HEKTAAR (waarvan

die eiendom hiermee getranspoteer 'n Gedeelte uitmaak) te vervoer, tesame met die oprigting van 'n transformer en bykomende regte, onderhewig aan die kondisies, soos meer volledig blyk uit die gesegde Notariële Akte.

- E. Kragtens Notariële Akte No K1331/1976S geregistreer op die 7de Mei 1976 is die reg aan EVKOM verleen om elektrisiteit oor die RESTERENDE GEDEELTE van GEDEELTE 39 van die plaas "TOWNLANDS OF LYDENBURG" Nr 31, Registrasie Afdeling J T, groot 6889,6162 HEKTAAR (waarvan die eiendom hiermee getranspoteer 'n Gedeelte uitmaak) te vervoer, tesame met bykomende regte, en onderworpe aan voorwaardes, soos meer volledig sal blyk uit gesegde Akte.
- F. Kragtens Notariële Akte No K2341/1976S geregistreer op 11 Augustus 1976 is die reg aan EVKOM verleen om elektrisiteit oor die RESTERENDE GEDEELTE van GEDEELTE 39 van die plaas "TOWNLANDS OF LYDENBURG" Nr 31, Registrasie Afdeling J T, groot 6889,6162 HEKTAAR (waarvan die eiendom hiermee getranspoteer 'n Gedeelte uitmaak) te vervoer, tesame met bykomende regte, en onderworpe aan voorwaardes, soos meer volledig sal blyk uit gesegde Akte.
- G. Kragtens Notariële Akte No K2342/1976S geregistreer op 11 Augustus 1976 is die reg aan EVKOM verleen om elektrisiteit oor die RESTERENDE GEDEELTE van GEDEELTE 39 van die plaas "TOWNLANDS OF LYDENBURG" Nr 31, Registrasie Afdeling J T, groot 6889,6162 HEKTAAR (waarvan die eiendom hiermee getranspoteer 'n Gedeelte uitmaak) te vervoer, tesame met bykomende regte, en onderworpe aan voorwaardes, soos meer volledig sal blyk uit gesegde Akte.
- H. Kragtens Notariële Akte No K2343/1976S geregistreer op 11 Augustus 1976 is die reg aan ESKOM verleen om elektrisiteit oor die RESTERENDE GEDEELTE van GEDEELTE 39 van die plaas "TOWNLANDS OF LYDENBURG" Nr 31, Registrasie Afdeling J T, groot 6889,6162 HEKTAAR (waarvan die eiendom hiermee getranspoteer 'n Gedeelte uitmaak) te vervoer, tesame met bykomende regte, en onderworpe aan voorwaardes, soos meer volledig sal blyk uit gesegde Akte.
- I. Onderhewig aan die volgende voorwaardes ten gunste van die Stadsraad van Lydenburg:-
 - (a) 'n Waterpyplynserwituut DRIE (3) METER wyd, die middellyn waarvan aangetoon word deur lyn cd op die aangehegte kaart L.G. No. 138/2003.
 - (b) 'n Elektriese-kraglynserwituut DRIE (3) METER wyd, die middellyn waarvan aangetoon word deur die lyn ef op die aangehegte kaart L.G. No. 138/2003.
 - (c) 'n Waterpyplynserwituut DRIE (3) METER wyd, waarvan die suidelike grens voorgestel word deur die lyn D-E op Kaart L G No A 8047/74 geheg aan Transportakte T36032/1976."

4. CONDITIONS OF TITLE

All erven shall be subject to the following conditions imposed by the local authority in terms of the provisions of the Town Planning and Townships Ordinance, 1986.

- (1) The erf is subject to a servitude, 2m wide, in favour of the local authority, for sewerage and other municipal purposes, along any two boundaries other than a street boundary and in the case of a panhandle erf, an additional servitude for municipal purposes 2m wide across the access portion of the erf, if and when required by the local authority: Provided that the local authority may dispense with any such servitude.
- (2) No building or other structure shall be erected within the aforesaid servitude area and no large-rooted trees be planted within the area of such servitude or within 2m thereof.
- (3) The local authority shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude such material as may be excavated by it during the course of the construction, maintenance or removal of such sewerage mains and other works as it, in its discretion may deem necessary and shall further be entitled to reasonable access to the said land for the aforesaid purpose subject to any damage done during the process of the construction, maintenance or removal of such sewerage mains and other works being made good by the local authority.