Western Cape Government

Transport and Public Works

TWO RIVERS URBAN PARK

Conveyancer's Report

Prepared for:

Western Cape Government in partnership with The City of Cape Town

October 2016

This report was compiled by:

NM & Associates Planners and Designers
PO Box 44386,Claremont,7735
Tel: (021) 671 1138
Email: nisa@visionplan.co.za

Table of Contents

1. Introduction 1

2. Conveyancer's Scope of Works 1

3. Summary Findings 1

4. Appendix A (Conveyancer's Certificates) - Refer to CD Which Accompanies this Document

5. Appendix B (Surveyor General Diagrams) - Refer to CD Which Accompanies this Document

1. Introduction

The purpose of this report is to assess whether there are any restrictive conditions of title or servitudes affecting the properties located within the TRUP study area. As was confirmed by the Client, this study excluded those properties forming part of Maitland Garden Village.

2. Conveyancer's Scope of Works

A Conveyancer (C&A Friedlander Attorneys) was appointed to research and prepare the required conveyancing certificates for the remaining 91 erven within the TRUP area. The Conveyancer was required to undertake the following:

- To provide and confirm ownership details for all properties within the study area, excluding those forming part of Maitland Garden Village;
- To determine whether there are any restrictive conditions of title for each property within the study area and if so, whether they need to be removed to permit development, subdivision and / or a change of land use (rezoning);
- To determine and report on whether there are any servitudes registered across the properties concerned;
- To provide a report on the above investigations, including a copy of title deeds for each property, diagrams of servitudes and any other information that may be pertinent to the planning exercise, while conducting the research; and
- To provide conveyancer's certificates for the properties forming part of the study area.

3. Summary Findings

A Conveyancer's Certificate was provided for each property, together with a property report (generated from either Windeed or GhostConvey), as well as the title deed for the erf. Refer to Appendix A on the CD accompanying this report. SG diagrams were provided for those erven which had servitudes (refer to Appendix B on the CD accompanying this report).

A summary of the Conveyancers findings is a follows:

- 91 erven were researched;
- 61 erven had restrictive condition(s) in the form of either title deed restrictions and/or servitude(s);
- 27 erven had servitudes registered against them;
- 3 erven (Erven 107342, 110874 and 168824) were not registered at the Deeds Office;
- Erven 107342 and 10874 are roads;
- Erf 114058 has a Notarial Deed of Lease;
- Erf 118877 has Notarial Deeds registered against it;
- Erf 168824 is not registered at the Deeds Office. Erf 168824 is comprised of Erf 168822 and Erf 168823, and none of these erven have been registered at the deeds office. Erf 168822 is a portion of Erf 24176 (for which a Conveyancer's Certificate has been provided). Erf 168823 is a portion of Erf 103659 (for which a Conveyancer's Certificate has been provided);
- Erf 168891 is a Sectional Scheme (Sectional Scheme SS Parklane 289/2011)

- Erf 168894 is a Sectional Scheme (SS Vincent Palotti Hospital No 421/2009)

The remainder of this report is made up of 2 tables that summarise the outcome of the conveyancer's investigation. Table 1 lists all the erven that were included in the conveyancer's brief, and includes erf number, title deed number, ownership, indication of restrictive conditions and servitudes and erf extent. Table 2 lists those erven that have restrictive conditions and/or servitudes.

TABLE 1: OWNERSHIP AND RESTRICTIONS SUMMARY

ERF NUMBER	TITLE DEED	OWNERSHIP	RESTRICTION	SERVITUDES	EXTENT
1097	T32/1941	CITY OF CAPE TOWN	Y	N	1929.11
3347	G75/1941	SOUTH AFRICAN RAIL COMMUTER CORP LTD	N	N	15989.05
15326	T21836/1989	CITY OF CAPE TOWN	N	N	208274.23
16676	T28884/1988	SOUTH AFRICAN RAIL COMMUTER CORP LTD	N	N	10981.26
16677	T14491/1991	SOUTH AFRICAN RAIL COMMUTER CORP LTD	N	N	2303.53
24173	T7779/1944	SOUTH AFRICAN RAIL COMMUTER CORP LTD	N	N	8444.84
24177	T7778/1944	SOUTH AFRICAN RAIL COMMUTER CORP LTD	N	N	30225.93
24277	T52789/2007	BIOLOGICALS & VACCINES INSTITUTE OF SOUTHERN AFRICA PTY LTD	N	N	13902.74
24278	T10915/1925	CITY OF CAPE TOWN	Y	N	69268.52
24288	T1919/1914	PROVINCIAL GOVERNMENT - WESTERN CAPE	N	N	55008.89
24290	T5724/1901	PROVINCIAL GOVERNMENT - WESTERN CAPE	Y	N	209837.77
24299	T13558/1961	CITY OF CAPE TOWN	N	Y	1195.29
24300	T10684/1938	CITY OF CAPE TOWN	N	N	43712.65
24322	T9169/1923	PROVINCIAL GOVERNMENT - WESTERN CAPE	N	N	3524.50
24323	T4493/1928	PROVINCIAL GOVERNMENT - WESTERN CAPE	N	Y	577.57
24324	T9169/1923	PROVINCIAL GOVERNMENT - WESTERN CAPE	N	N	394.70
24631	T5617/1946	SOUTH AFRICAN RAIL COMMUTER CORP LTD	N	N	6381.22
24816	T12465/1965	CITY OF CAPE TOWN	Y	N	29314.39
26162	T11742/1943	SOUTH AFRICAN RAIL COMMUTER CORP LTD	N	N	13070.83
26166	T11935/1960	CITY OF CAPE TOWN	N	Y	57016.24
26426	G274/1956	CITY OF CAPE TOWN	Y	Y	5311.79
26427	G274/1956	CITY OF CAPE TOWN	Y	Y	418.05
26437	G151/1962	CITY OF CAPE TOWN	Y	N	110349.82
26439	T8256/1957	PROVINCIAL GOVERNMENT - WESTERN CAPE	Y	N	439261.07
26440	G151/1962	CITY OF CAPE TOWN	Y	N	470202.71
26443	CPF32-7/1924	CITY OF CAPE TOWN	Y	N	324.36

26453	G6/1956	CITY OF CAPE TOWN	N	N	350.72
26453	G6/1956	CITY OF CAPE TOWN	N	N	1463.49
26456	T19013/1981	CITY OF CAPE TOWN	Y	Y	19651.09
26458	T19013/1981	CITY OF CAPE TOWN	Y	Y	23310.61
26461	T8592/1925	CITY OF CAPE TOWN	N	N	188.06
26463	G101/1930	CITY OF CAPE TOWN	Y	N	315.28
27628	T19013/1981	CITY OF CAPE TOWN	Y	Y	332.00
27661	T21836/1989	CITY OF CAPE TOWN	N	N	2831.68
27884	T2488/1983	SOUTH AFRICAN RAIL COMMUTER CORP LTD	N	N	335.97
28095	T19013/1981	CITY OF CAPE TOWN	Y	Y	12895.09
28124	T7683/1919	CITY OF CAPE TOWN	N	N	6589.64
28125	T94420/2004	PROVINCIAL GOVERNMENT - WESTERN CAPE	Y	Y	26696.54
28150	T5038/1950	CITY OF CAPE TOWN	Y	N	1088.92
28171	T10448/1941	CITY OF CAPE TOWN	Y	N	18488.24
28174	T6139/1941	CITY OF CAPE TOWN	Y	N	15662.99
28181	T6139/1941	CITY OF CAPE TOWN	Y	N	3113.66
28257	T19013/1981	CITY OF CAPE TOWN	Y	Y	6358.05
29449	T13073/1936	CITY OF CAPE TOWN	N	N	62183.28
102623	T29991/1970	CITY OF CAPE TOWN	Y	N	24100.16
102624	T29991/1970	CITY OF CAPE TOWN	Y	N	2496.24
102625	T29991/1970	CITY OF CAPE TOWN	Y	N	2373.46
102626	T29991/1970	CITY OF CAPE TOWN	Y	N	2326.00
102627	T29991/1970	CITY OF CAPE TOWN	Y	N	1767.93
102628	T29991/1970	CITY OF CAPE TOWN	Y	N	2561.74
102638	T13818/1983	DATHI INVESTMENTS (PTY) LIMITED	Y	N	1855.01
102639	T54217/2007	BELL TRUST	Y	Y	969.74
102640	T125641/2004	HOWGLEN (PTY) LIMITED	Y	N	2353.35
102653	T29991/1970	CITY OF CAPE TOWN	Y	N	1108.51
102654	T29991/1970	CITY OF CAPE TOWN	Y	N	3233.47

102655	T29991/1970	CITY OF CAPE TOWN	Y	N	1334.36
103659-0-2	T29990/1970	CITY OF CAPE TOWN	Y	N	220744.71
103659-0-1	T29990/1970	CITY OF CAPE TOWN	Y	N	24788.94
107342		no info available	n/a	n/a	1533.10
108936	T21836/1989	CITY OF CAPE TOWN	N	N	118.34
110874		no info available	n/a	n/a	93.47
113943	T1638/1982	CITY OF CAPE TOWN	Y	Y	5776.56
114058	T68815/2000	FOSCHINI RETAIL GROUP PTY LTD	Y	Y	27421.87
115697	T34962/2002	PROVINCIAL GOVERNMENT - WESTERN CAPE	N	N	4029.58
116413	T63081/1995	COLD CHAIN PTY LTD (IMPERIAL COLD LOGISTICS PTY LTD)	Y	N	24634.04
118877	T33362/1985	SOUTH AFRICAN HERITAGE RESOURCES AGENCY	Y	Y	11454.78
118929	T76797/1999	ALLWELD INVESTMENTS (PTY) LIMITED	Y	N	2135.36
129571	T38425/1989	CITY OF CAPE TOWN	Y	N	1674.07
140294	T8296/2009	NEWSHELF 922 PTY LTD	Y	Y	8333.96
145064	T30875/1995	THE TRANSITIONAL METROPOLITAN SUBSTRUCTURE OF CAPE TOWN	N	N	3458.26
148700	T22191/1993	UNIVERSITY OF CAPE TOWN	Y	Y	5522.29
151530	T54021/1993	SOUTH AFRICAN RAIL COMMUTER CORP LTD	N	N	2370.93
151832	T50101/1993	LIESBEEK LEISURE PROPERTIES TRUST	N	N	147321.28
154157	T72338/2002	METBOARD PROPERTIES LIMITED	Y	N	15643.23
154478	T4044/1997	CITY OF CAPE TOWN	Y	Y	2950.29
154546	T4044/1997	CITY OF CAPE TOWN	Y	Y	4099.15
154547	T4044/1997	CITY OF CAPE TOWN	Y	Y	870.54
160695	T15226/2003	THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS IN SOUTH AFRICA	Y	N	15351.49
160696	T13321/1999	WESTERN PROVINCE CHINESE ASSOCIATION PROPERTY (PTY) LTD	Y	Y	7937.53
161229	T74170/2000	ORDER OF THE PALLOTTINE MISSIONARY SISTERS IN SOUTH AFRICA	Y	Y	8255.78
166797	T28524/2004	SOUTH AFRICAN RAIL COMMUTER CORP LTD	N	N	22238.01
168824		no info available	n/a	n/a	12050.51
168891	SS536/2008	SECTIONAL SCHEME PARK LANE (MULTIPLE OWNERS)	N	Y	8075.54
168892	T68806/2005	CITY OF CAPE TOWN	Y	N	37.45

168894	SS421/2009	LIFE HEALTHCARE GROUP PTY LTD	Y	Y	39381.43
169506	T54216/2007	DIESEL ROAD INVESTMENTS CC	Y	Y	887.12
103660-RE	T29991/1970	CITY OF CAPE TOWN	Y	N	7525.19
118296-RE	T25156/1996	THE TRANSITIONAL METROPOLITAN SUBSTRUCTURE OF CAPE TOWN	Y	N	30177.99
26423-0-1	T21739/1989	NATIONAL RESEARCH FOUNDATION	Y	Y	92162.85

TABLE 2: ERVEN WITH RESTRICTIVE CONDITIONS

ERF	OWNERSHIP	R	S	TITLE DEED RESTRICTION (R) / SERVITUDE (S)	NATURE OF RESTRICTION / SERVITUDE
24290	**PROVINCIAL GOVERNMENT – WESTERN CAPE**	Y	N	**Title Deed Restriction** - T5724/1901 Endorsement in terms of section 13(3) of Act 28/69 in terms of sec 10(1) / 5 (1) of Act 28/1969 The historic Oude Molen, At Alexandra in Maitland with 3 metres of surrounding land situate on the remainder of Erf 24290 at Maitland has been proclaimed a monument by proclamation No 1569 dated 4.8.1978 published in the government gazette of same date for further particulars refer to said proclamation and minute No RNG 10/2/584 dated 23.8.1978 from the director of archives, Pretoria, filed in file 24/4/6/16.	• **Portion of erf Proclaimed a Monument**
24299	**CITY OF CAPE TOWN**	Y	Y	**Title Deed Restriction** - T13558/1961 ENTITLED to the benefit of the servitude a reference whereto was on the 17th November, 1951, endorsed on said Deed of Transfer No. 6359 dated 9th May, 1950, reading:- "By Deed of Transfer No.19930 dated 17th November 1951, the remainder Consolidated Lot Peterson – 1.1685 mg. held hereunder, is entitled to a right of way 40' wide over Ptn 1 – 1.3332 mg. thereby conveyed, along the eastern boundary thereof, extending from the line marked e.d on diagram 6007/1950 of the said ptn 1, annexed thereto to a line formed by the extension into the said Ptn 1 of the northern boundary, of the road marked "Road 30' on said diagram, as will more fully appear on ref. to the said deed of transfer." **Servitude** - T8923/1948 "By Notarial Deed No. 235 dated 16th July, 1945 the owner of the land conveyed hereunder grants unto the council of the City of Cape Town the right to continue to transmit electric power over the land conveyed hereunder along the route marked A B C D E on the Servitude diagram	• **Subject to a Right of Way servitude** running through it. • **Subject to an electricity servitude** running through it, allowing for the right to transmit electric power through the erf as well as providing for right of access to the servitude

				attached to the said Notarial Deed, with right of access, as will more fully appear on the reference to the said copy annexed hereto."	
24323	**PROVINCIAL GOVERNMENT – WESTERN CAPE**	N	Y	**Title Deed Restriction** - T4493/1928 Entitled to the rights contained in the Deed of Servitude dated 20th November 1899 annexed to such lastmentioned Deed of Transfer and endorsed thereon by endorsement dated 2nd March 1900 to the effect that the No. that the owners of the remainder of the Nieuwe Molen Estate of which the property hereby transferred forms a portion, have the right to a ten foot road Lot 1 Block L of Nieuwe Molen.	• **Entitled to a 10 foot road**
24816	**CITY OF CAPE TOWN**	Y	N	**Title Deed Restriction** - T12465/1965 B.2. To the following conditions contained in Deed of Grant dated this day No.63/65 The land shall not be used for other than road purposes without the written consent of the Minister of Lands first being had and obtained.	• **Subject to a restriction of use for road purposes** unless written consent is obtained from the relevant Minister
26166	**CITY OF CAPE TOWN**	N	Y	**Title Deed Restriction** - T11935/1960 1.(a)To the terms of a servitude, an endorsement whereof dated 20th June, 1929, appears on Deed of Transfer No. 2673 dated 30th March, 1922, reading as follows:- "By Deed of Transfer No. 5946 dd 20th June, 1927, certain right of way over the land conveyed thereby and over the remainder of the land held under Transfer No 8102 dd 3rd September, 1906, has been granted in favour of the land held under Transfer No.5947 dd 20 June, 1927, and of the remainder of that held under para 26 hereof subject to conditions as will more fully appear on reference to the said Deed of Transfer."	• **Subject to a Right of Way servitude** running through it.

26426	**CITY OF CAPE TOWN**	Y	Y	**Title Deed Restriction** - G274/1956 Registration of servitude By Notarial Deed No. 638/1956 dated 5th October 1956 and registered this day, the within properties are Subject to certain restrictive condition in favour of the Remainder of the Royal Observatory measuring 11 morgen and 34,312 Sq feet held under Deed of Grant dated 24th June 1889 (Cape Freeholds Volume 20 No 1) and while conditions relate to: A. (a) Erection of Buildings (b) Burning of bushes or lighting fires (c) Making of bricks or carrying on of any other manufacture or trade (d) Interference with light and (e) Making of roads; B. Subject to a right to lay and maintain pipeline over the within properties without compensation while rights were imposed in favour of the land High admiral of the United Kingdom; as will more fully appear on reference to the said Notarial Deed	• Subject to **restrictive conditions relating to use** in favour of the Observatory. • Subject to a **servitude right to lay and maintain pipeline.** A servitude furrow is reflected on Erf 26426.
26427	**CITY OF CAPE TOWN**	Y	Y	**Deed of grant dated 24 June 1889 (Cape Freeholds Volume 20 No.1)** Such duties and regulations as are either already or shall in future be established with regard to such road and so far as they are applicable to the terms of an agreement dated 5 November 1839.	• Subject to a **duties and regulations relating to a road.**
26437	**CITY OF CAPE TOWN**	Y	N	**Title Deed Restriction** - G151/1962 Deed of Transfer No. 12261 dated 18th December, 1925: "That the transferee and his successors in Title to said Block N shall have a proportionate share in such water from the Liesbeek River as may be available to the transferors from time to time subject to such obligations and duties as may be imposed by lawful authority, provided that the share allotted to Block N shall in any case not exceed the proportion according to River frontage of block N and the remainder of the Estate held by the Transferors under	• Subject to **rights related to the proportionate share of water from the Liesbeek River and leading water from the river.**

				aforesaid Deed of Grant or their successors in title, provided also that the transferee and his successors in title shall have due regard to the rights of other proprietors in leading water from the river."	
26439	**PROVINCIAL GOVERNMENT – WESTERN CAPE**	Y	N	**Title Deed Restriction** - T8256/1957 Voorwaarde vervat in genoemde Akte van Transport nr. 12261 gedateer 18 Desember 1925: "That the Transferee and his successors in Title to said Block N shall have a proportionate share in such water from the Liesbeek River as may be available to the transferors from time to time subject to such obligations and duties as may be imposed by lawful authority, provided that the share allotted to Block N shall in any case not exceed the proportion according to River frontage of Block N and the remainder of the Estate held by the Transferors under aforesaid Deed of Grant or their successors in title, provided also that the transferee and his successors shall have due regard to the rights of other proprietors in leading water from the river."	• Subject to **rights related to the proportionate share of water from the Liesbeek River and leading water from the river.**
26440	**CITY OF CAPE TOWN**	Y	N	**Title Deed Restriction** - G151/1962 Deed of Transfer No. 12261 dated 18th December, 1925: "That the transferee and his successors in Title to said Block N shall have a proportionate share in such water from the Liesbeek River as may be available to the transferors from time to time subject to such obligations and duties as may be imposed by lawful authority, provided that the share allotted to Block N shall in any case not exceed the proportion according to River frontage of block N and the remainder of the Estate held by the Transferors under aforesaid Deed of Grant or their successors in title, provided also that the transferee and his successors in title shall have due regard to the rights of other proprietors in leading water from the river."	• Subject to **rights related to the proportionate share of water from the Liesbeek River and leading water from the river.**

26443	**CITY OF CAPE TOWN**	Y	N	**Title Deed Restriction** - CPF32-7/1924 (1) That the Council of the City of Cape Town shall forthwith from the date of this title deed proceed to erect an Electrical Sub-station on the land hereby granted; (2) That the Council of the City of Cape Town shall supply with electric current the Alexandra, Oude Molen, Valkenberg and Uitvlugt hospitals, subject to the conditions laid down in the agreement hereunto attached dated 16th March 1922, entered into between the Council of the City of Cape Town and Charles Murray in his capacity as secretary for Public Works and as such representing the Government of the Union of South Africa; (3) That the land hereby granted shall revert to the Crown when no longer used as a site for an Electrical Sub-Station.	• Subject to **restrictive conditions relating to use for an electrical sub-station** • Subject to the **requirement to supply electric current to the Alexandra, Oude Molen, Valkenberg and Uitvlugt hospitals** • Subject to **requirement that the land shall revert to the Crown when no longer used as a site for an electrical sub-station**
26463	**CITY OF CAPE TOWN**	Y	N	**Title Deed Restriction** - T8256/1957 I. That the Governor-General shall at all times have the right of resuming the whole or a portion of the land hereby granted if required for public purposes, on payment to the proprietor of such sum of money in compensation as may be mutually agreed upon by the parties concerned, or failing such agreement as may be determined by arbitration	• Subject to an Endorsement that the Governor-General shall at all times have the **right of resuming the whole or a portion of the land hereby granted if required for public purposes**,
26456	**CITY OF CAPE TOWN**	Y	Y	**Title Deed Restriction** - T8256/1957 Voorwaarde vervat in genoemde Akte van Transport nr. 12261 gedateer 18 Desember 1925: "That the Transferee and his successors in Title to said Block N shall have a proportionate share in such water from the Liesbeek River as may be available to the transferors from time to time subject to such obligations and duties as may be imposed by lawful authority, provided that the share allotted to Block N shall in any case not exceed the	• Subject to **rights related to the proportionate share of water from the Liesbeek River and leading water from the river.**
26458	**CITY OF CAPE TOWN**	Y	Y		
27628	**CITY OF CAPE TOWN**	Y	Y		
28095	**CITY OF CAPE TOWN**	Y	Y		
28257	**CITY OF CAPE TOWN**	Y	Y		

				proportion according to River frontage of Block N and the remainder of the Estate held by the Transferors under aforesaid Deed of Grant or their successors in title, provided also that the transferee and his successors shall have due regard to the rights of other proprietors in leading water from the river." **Title Deed Restriction** - T19013/1981 A. To such conditions as are referred to in Deed of Grant made under Act 9 of 1879 on 10th January 1890 (Cape Freeholds Vol. 20 No. 3) and to the special conditions therein reading as follows:- "That the land is subject however, to all such duties and regulations as are either already or shall in future be established with regard to such lands." B. To the following condition contained in Deed of Transfer No. 3447 dated 14th April namely:- "That the Transferee and his successors in title of the Lots U, J and C B shall have the right to a proportionate share in such water from the Liesbeek River as may be available to the Transferors from time to time, subject to such obligations and duties as may be imposed by lawful authority, provided that the share allotted to Lots U, J and C B shall in any case not exceed the proportion according to river frontage of Lot U aforesaid and the remainder of the Estate held by the Transferors under Deed of amended Title in favour of H.W.Struben dated 10th January 1890 (Cape Freeholds Vol.20 No.3) or their successors in title and provided also that the Transferee and his successors in title shall have due regard to the rights of other proprietors in leading water from the river." C. ENTITLED to the benefit of the terms of a servitude	• Subject to **all such duties and regulations as are either already or shall in future be established with regard to such lands** • Subject to **rights related to the proportionate share of water from the Liesbeek River and leading water from the river** .

				referred to in an endorsement dated 10th December 1941 on Deed of Transfer No. 6139 dated 28th June 1941, reading as follows:- "REGISTRATION OF SERVITUDE By Notarial Deed No. 320/1941 dated 22.11.1941, the owner of the land held hereunder, has acquired all the water rights hitherto exercised by the owner of Para. 1 of the land held under Trf.3447/1926, as will more fully appear on reference to the said Notarial Deed, copy annexed hereto." D. ENTITLED to the benefit of the endorsement on said Deed of Transfer No. 6139/1941, which reads as follows:- "Para. 1. Portion A = 520 sq metres Transferred 17 Apr 1950 No. 5037/50 Without any water rights to Estate A.L. Willmot." That the Governor-General shall at all times have the right of resuming the whole or a portion of the land hereby granted if required for public purposes, on payment to the proprietor of such sum of money in compensation as may be mutually agreed upon by the parties concerned, or failing such agreement as may be determined by arbitration	• Subject to a **Servitude regarding water rights** • Subject to an Endorsement that the Governor-General shall at all times have the **right of resuming the whole or a portion of the land hereby granted if required for public purposes** .
28125	**PROVINCIAL GOVERNMENT – WESTERN CAPE**	Y	Y	**Title Deed Restriction** - T7438/1925 "The stormwater drain shown on the diagram of said property shall remain as at present or in the option of the said Stuttaford and Company Limited may be diverted so as to continue along the southern boundary of the said ground."	• Subject to a **restrictive condition relating to use for stormwater drain**

				Title Deed Restriction - T10914/1918 The following condition was for a period of ten years from 27 June 1918 and reads as follows: The said land shall be used for the purpose of a Sports Ground only for a period of ten years from 27 June 1918, but during that period the said stuttaford & company Ltd shall have the right to use the ground for any other purpose on to sell it subject to the condition that in either event the said executors have the option to repurchase the ground at twice of two thousand two hundred and fifty pounds at the expiry of said period of the ground shall be free from all such conditions and restrictions. The condition has lapsed due to effluxion of time.	• **Lapsed condition** relating to use of the land for a sports ground
28150	**CITY OF CAPE TOWN**	Y	N	**Title Deed Restriction** - T5038/1950 SUBJECT to such conditions as are referred to in Deed of Grant made under Act 9 of 1980 (Cape Freeholds Vol 20. No.3) and to the special conditions therein reading as follows:- "That the land is subject however to all such duties and regulations as are either already or shall in future be established with regard to such lands.	• Subject to **all such duties and regulations as are either already or shall in future be established with regard to such lands**
28171	**CITY OF CAPE TOWN**	Y	N	**Title Deed Restriction** - T10448/1941 (b) Subject to the special condition contained in Deed of Grant, Cape Freeholds 20, N0. 3, dated 10 January 1890, reading : "Subject, however, to all such duties and regulations as are either already or shall in future be established with regard to such lands". (c) Subject to the following special condition imposed by the Administrator when approving the Koornhoop subdivided Estate, Viz : "That this Erf be not subdivided except with the consent in	• Subject to **all such duties and regulations as are either already or shall in future be established with regard to such lands** • Subject to **a restriction on subdivision except with the consent of the Administrator**

				writing of the Administrator". **Title Deed Restriction** - T6044/1940 "That the said Andries Jacobus Pickard and his successors in Title have the right to a proportionate share in such water from the Liesbeek River as may be available to the Estate of the Late Hendrik Wilhelm Struben as riparian owners under the aforesaid Grant, and subject to such obligations and duties as may be imposed by lawful authority, provided that the share allotted to the said Andries Jacobus Pickard and his successors in Title shall not exceed his proportion according to river frontages, and provided also that the said Andries Jacobus Pickard and his successors in Title shall have due regard to the rights of other proprietors in leading water from the river"	• Subject to **rights** that Andries Jacobus Pickard and his successors in Title have **related to the proportionate share of water from the Liesbeek River** as may be available to the Estate of the Late Hendrik Wilhelm Struben as riparian owners under the aforesaid Grant **and leading water from the river**
28174	**CITY OF CAPE TOWN**	Y	N	**Title Deed Restriction** - T6139/1941 "That the land is subject however to all such duties and regulations as are either already or shall in future be established with regard to such lands." AND FURTHER SUBJECT to the following condition contained in said Deed of Transfer made in favour of the Appearer's Principal on the 14th April 1926, No 3447:- "That the Transferee and his successors in title of the Lots U, J and C B shall have the right to a proportionate share in such water from the Liesbeek River as may be available to the Transferors from time to time, subject to such obligations and duties as may be imposed by lawful authority, provided that the share allotted to Lots U, J and C B shall in any case not exceed the proportion according to river frontage of Lot U aforesaid and the remainder of the Estate held by the Transferors under Deed of amended Title in favour of H.W.Struben dated 10th January 1890 (Cape Freeholds Vol.20 No.3) or their successors in title and provided also that the Transferee and his successors in title	• Subject to **all such duties and regulations as are either already or shall in future be established with regard to such lands** • Subject to **water rights relating to the proportionate share of water from the Liesbeek River**
28181	**CITY OF CAPE TOWN**	Y	N		

				shall have due regard to the rights of other proprietors in leading water from the river."	
102623	**CITY OF CAPE TOWN**	Y	N	**Title Deed Restriction** – T29991/1970 iii Subject, however, to all such duties and regulations as are either already or shall in future be established with regards to lands held under similar tenure	• Subject to **all such duties and regulations as are either already or shall in future be established with regards to lands held under similar tenure**
102624	**CITY OF CAPE TOWN**	Y	N		
102625	**CITY OF CAPE TOWN**	Y	N		
102626	**CITY OF CAPE TOWN**	Y	N		
102627	**CITY OF CAPE TOWN**	Y	N		
102628	**CITY OF CAPE TOWN**	Y	N		
102653	**CITY OF CAPE TOWN**	Y	N		
102654	**CITY OF CAPE TOWN**	Y	N		
102655	**CITY OF CAPE TOWN**	Y	N		
103660-RE	**CITY OF CAPE TOWN**	Y	N		
102638	**DATHIG INVESTMENTS (PTY) LTD**	Y	N	**Title Deed Restriction** - T4936/1912 SUBJECT FURTHER to the following condition contained in Deed of grant dated 9 April 1867 (Cape Quitrents Volume 13 No. 8 reading – "That all existing roads and thoroughfares shall remain free and uninterrupted." **Title Deed Restriction** - T125641/2004 c. SUBJECT FURTHER to the following condition contained in Deed of Transfer No. T21294/1975 by the Administrator of the Province of the Cape of Good Hope when approving of the Township in terms of Ordinance No. 33 of 1934, namely- 1. The owner of this erf shall, without compensation, be obliged to allow electricity cables and/or wires and main and/or other waterpipes and the sewage and drainage, including stormwater or any other erf or erven inside or outside this township to be conveyed across this erf, if deemed necessary by the local authority in such a manner and position as may from time to time be reasonably	• Subject to a **restriction that all existing roads and thoroughfares shall remain free and uninterrupted** • Subject to the **right allow electricity services, waterpipes, sewage and stormwater drainage to be conveyed across this erf**, and **allow right of access to services at any reasonable time**

				required. This shall include the right of access to the erf at any reasonable time for the purpose of constructing, altering, removing or inspecting any works connected with the above. 2. The owner of this erf shall be obliged without compensation, be obliged to receive such material or permit such excavation on the erf, as may be required to allow use of the full width of the street and provide a safe and proper slope to its bank owing to difference between the levels of the street as finally constructed and the erf, unless he elects to build retaining walls to the satisfaction of and within a period to be determined by the local authority. 3. This erf shall be used only for such purposed as are permitted by the Town Planning Scheme of the local authority and subject to the conditions and restrictions stipulated by the scheme.	• Subject to the **obligation to allow the use of the full width of the street (including any excavation, fill, sloped banks and retaining walls as may be required** • Subject to the erf **only being used for such purposed as are permitted by the Town Planning Scheme of the local authority and subject to the conditions and restrictions stipulated by the scheme**
102639	**BELL TRUST**	Y	Y	**Title Deed Restriction** - T54217/2007 B SUBJECT FURTHER to the following condition contained in Deed of grant dated 9 April 1867 (Cape Quitrents Volume 13 No. 8 reading – That all existing roads and thoroughfares shall remain free and uninterrupted. C SUBJECT FURTHER to the following condition contained in Deed of Transfer No.23399/1974 by the Administrator of the Province of the Cape of Good Hope when approving of the Township in terms of Ordinance No. 33 of 1934, namely- 1. The owner of this erf shall, without compensation, be obliged to allow electricity cables and/or wires and main and/or other waterpipes and the sewage and drainage, including stormwater or any other erf or erven inside or outside this township to	• Subject to a **restriction that all existing roads and thoroughfares shall remain free and uninterrupted** • Subject to the **right allow electricity services, waterpipes, sewage and stormwater drainage to be conveyed across this erf**, and **allow right of access to services at any reasonable time**

				be conveyed across this erf, if deemed necessary by the local authority in such a manner and position as may from time to time be reasonably required. This shall include the right of access to the erf at any reasonable time for the purpose of constructing, altering, removing or inspecting any works connected with the above. 2. The owner of this erf shall be obliged without compensation, be obliged to receive such material or permit such excavation on the erf, as may be required to allow use of the full width of the street and provide a safe and proper slope to its bank owing to difference between the levels of the street as finally constructed and the erf, unless he elects to build retaining walls to the satisfaction of and within a period to be determined by the local authority. 3. This erf shall be used only for such purposed as are permitted by the Town Planning Scheme of the local authority and subject to the conditions and restrictions stipulated by the scheme. D SUBJECT FURTHER to the following condition imposed by the City of Cape Town in terms of Section 42 of the land Use and Planning Ordinance 15 of 1985, when approving the subdivision of Erf 102639 Cape Town namely:- Subject to a sewer servitude 3 metres wide in favour of Erf 169506 (a portion of Erf 102639) Cape Town, the eastern boundary whereof is depicted by the line CE on Sub-divisional Diagram S.G No. 5169/20005.	• Subject to the **obligation to allow the use of the full width of the street (including any excavation, fill, sloped banks and retaining walls as may be required** • Subject to the erf **only being used for such purposed as are permitted by the Town Planning Scheme of the local authority and subject to the conditions and restrictions stipulated by the scheme** • Subject to **a 3m wide** sewer **servitude in favour of Erf 169506 (a portion of Erf 102639)**
102640	**HOWGLEN PTY LTD**	Y	N	**Title Deed Restriction** - T125641/2004 B SUBJECT FURTHER to the following condition contained in Deed of grant dated 9 April 1867 (Cape Quitrents Volume 13 No. 8 reading – "That all existing roads and thoroughfares shall remain free	• Subject to a **restriction that all existing roads and thoroughfares shall remain free and uninterrupted**

				and uninterrupted." C SUBJECT FURTHER to the following condition contained in Deed of Transfer No. T32505/1974 imposed by the Administrator of the Province of the Cape of Good Hope when approving of the Township in terms of Ordinance No. 33 of 1934 namely: 1. The owner of this erf shall, without compensation, be obliged to allow electricity cables and/or wires and main and/or other waterpipes and the sewage and drainage, including stormwater or any other erf or erven inside or outside this township to be conveyed across this erf, if deemed necessary by the local authority in such a manner and position as may from time to time be reasonably required. This shall include the right of access to the erf at any reasonable time for the purpose of constructing, altering, removing or inspecting any works connected with the above. 2. The owner of this erf shall without compensation, be obliged to receive such material or permit such excavation on the erf, as may be required to allow use of the full width of the street and provide a safe and proper slope to its bank owing to difference between the levels of the street as finally constructed and the erf, unless he elects to build retaining walls to the satisfaction of and within a period to be determined by the local authority. 3. This erf shall be used only for such purposed as are permitted by the Town Planning Scheme of the local authority and subject to the conditions and restrictions stipulated by the scheme.	• Subject to the **right allow electricity services, waterpipes, sewage and stormwater drainage to be conveyed across this erf**, and **allow right of access to services at any reasonable time** • Subject to the **obligation to allow the use of the full width of the street (including any excavation, fill, sloped banks and retaining walls as may be required** • Subject to the erf **only being used for such purposed as are permitted by the Town Planning Scheme of the local authority and subject to the conditions and restrictions stipulated by the scheme**
103659-0-	**CITY OF CAPE TOWN**	Y	N	**Title Deed Restriction** - T29990/1970	• Subject to a **restriction that all existing**

1				SUBJECT FURTHER to the following condition contained in Deed of Grant dated 9th April 1867 (Cape Quitrents Volume 13 No. 8), reading- "That all existing roads and thoroughfares shall remain free and uninterrupted." SUBJECT to the following conditions contained in Deed of Grant dated 15th December 1914 (Cape Quitrents Volume 13 No. 8), reading- i. That the land hereby granted shall be used only for the purpose of slaughter houses to be built and controlled by the municipality of Cape Town, or such other purposes as the Government may approve. ii. That when no longer used required for the aforesaid Purposes the land shall revert to the Government. iii. Subject, however, to all such duties and regulations as are either already established or shall in future be established with regard to lands held under similar tenure.	**roads and thoroughfares shall remain free and uninterrupted** • Subject to a **restriction that the land shall only be used for the purpose of slaughter houses to be built and controlled by the municipality of Cape Town, or such other purposes as the Government may approve.** • Subject to a **restriction that when no longer used required for the aforesaid Purposes the land shall revert to the Government.** • Subject to **all such duties and regulations as are either already established or shall in future be established with regard to lands held under similar tenure.**
103659-0-2	**CITY OF CAPE TOWN**	Y	N		
113943	**CITY OF CAPE TOWN**	Y	Y	**Title Deed Restriction** - T1638/1982 1. No building or structure shall be erected =, stakes pegs, or similar instruments driven into the ground, or any excavations carried out; 1.1 Within 2,5 metres on either side of the lines b c d e f on diagram No 2603/1981, which line represents the centre line of the 5 metre wide sewer servitude; 1.2 Within 1,25 metres on either side of the lines l j k l on diagram No 2603/1981 which line represents the centre line of a 2,5 metre wide drainage servitude. 1.3 Within 2 metres on either side of the line j r on Diagram	• Subject to a **restriction that no buildings or structures shall be erected or excavations carried out** • Within a **5m wide sewer servitude** • Within a **2.5m wide drainage servitude** • Within a 4**m wide drainage servitude**

				No 2603/81 which line represents the centre line of a 4 metre wide drainage servitude. 1.4 Within 2,5 metres on either side of the line d s on Diagram No 2603/81 which line represents the centre line of a 5 metre sewer servitude. 1.5 Within the lines n p g l H as represented on Diagram No 2603/81 which figure represents a servitude area. 2. The Council's employees shall have the right of access at all times to the above servitude areas for maintenance purposes. **Title Deed Restriction** - T8256/1957 "That all existing roads and thoroughfares shall remain free and uninterrupted." **Title Deed Restriction** - T1638/1982 SUBJECT FURTHER to the following condition contained in Deed of Grant dated 15 December 1914 (Cape Freeholds Volume 28 no 21) namely: Subject however, to all such duties and regulations as are either already or shall in future be established with regard to lands held under similar tenure.	• Within a **5m wide drainage servitude** • Within a **servitude area** • Subject to a **Council employees having the right to access at all times the servitude areas for maintenance** • Subject to a **restriction that all existing roads and thoroughfares shall remain free and uninterrupted** • Subject to **all such duties and regulations as are either already established or shall in future be established with regard to lands held under similar tenure.**
114058	**FOSCHINI RETAIL GROUP (PTY) LTD**	Y	Y	**Title Deed Restriction** - T4736/1912 "That all existing roads and thoroughfares shall remain free and uninterrupted." **Title Deed Restriction** - T68815/2000 B. SUBJECT FURTHER to the following condition contained in Deed of Grant dated 15 December 1914 (Cape Freeholds Volume 28 no 21) namely: Subject however, to all such duties and regulations as are either already or shall in future be established with regard to lands held under similar tenure. SUBJECT FURTHER to the following condition imposed by	• Subject to a **restriction that all existing roads and thoroughfares shall remain free and uninterrupted** • Subject to **all such duties and regulations as are either already established or shall in future be established with regard to lands held under similar tenure.**

				the Administrator of the Province of the Cape of Good Hope when approving of Oude Molen township in terms of Ordinance No. 33 of 1934 and contained in Certificate of Registered title No T1638/1982 dated this day: 1. The owner of this erf shall, without compensation, be obliged to allow electricity cables and/or wires and main and/or other waterpipes and the sewage and drainage, including stormwater or any other erf or erven inside or outside this township to be conveyed across this erf, if deemed necessary by the local authority in such a manner and position as may from time to time be reasonably required. This shall include the right of access to the erf at any reasonable time for the purpose of constructing, altering, removing or inspecting any works connected with the above. 2. The owner of this erf shall be obliged without compensation to receive such material or permit such excavation on the erf, as may be required to allow use of the full width of the street and provide a safe and proper slope to its bank owing to difference between the levels of the street as finally constructed and the erf, unless he elects to build retaining walls to the satisfaction of and within a period to be determined by the local authority. 3. This erf shall be used only for such purposed as are permitted by the Town Planning Scheme of the local authority and subject to the conditions and restrictions stipulated by the scheme. SUBJCT FURTHER to the following conditions imposed by the Transferor for the benefit of itself and its successors in title to the remainder of Erf 113943; Measuring: Five thousand Eight Hundred and Eighty-Three (5 884) square metres; Held by the Transferor by Certificate of Registered title No T1638/1912 registered in its favour this day, which	• Subject to the **right allow electricity services, waterpipes, sewage and stormwater drainage to be conveyed across this erf**, and **allow right of access to services at any reasonable time** • Subject to the **obligation to allow the use of the full width of the street (including any excavation, fill, sloped banks and retaining walls as may be required** • Subject to the erf **only being used for such purposed as are permitted by the Town Planning Scheme of the local authority and subject to the conditions and restrictions stipulated by the scheme**

				conditions have been imposed in order to protect the Transferor's Underground Services still remaining within, or over boundaries of the property hereby transferred (Erf 114058): 1. No building or structure shall be erected, stakes pegs, or similar instruments driven into the ground, or any excavations carried out; 1.1 Within 2,5 metres on either side of the lines b c d e f on Diagram No 2603/1981, which line represents the centre line of the 5 metre wide sewer servitude; 1.2 Within 1,25 metres on either side of the lines j k l on Diagram No 2603/1981, which line represents the centre line of the 2,5 metre wide drainage servitude. 1.3 Within 2 metres on either side of the lines j r on Diagram No 2603/1981, which line represents the centre line of the 4 metre wide drainage servitude. 1.4 Within 2.5 metres on either wide of the line d s on Diagram No 2603/1981, which line represents the centre line of the 5 metre wide sewer servitude. 1.5 Within the lines n p g l H as represented on Diagram No 2603/1981, which figure represents a servitude area. 2. The Council's employees shall have the right of access at all times to the above servitude areas for maintenance purposes,	• Subject to a **restriction that no buildings or structures shall be erected or excavations carried out** • Within a **5m wide sewer servitude** • Within a **2.5m wide drainage servitude** • Within a 4**m wide drainage servitude** • Within a **5m wide drainage servitude** • Within a **servitude area** • Subject to a **Council employees having the right to access at all times the servitude areas for maintenance**
116413	**IMPERIAL COLD LOGISTICS PTY LTD**	Y	N	**Title Deed Restriction** - T29991/1970 "Subject, however, to all such duties and regulations as are either already or shall in future be established with regard to lands held under similar tenure.	• Subject to **all such duties and regulations as are either already established or shall in future be established with regard to lands held**

				Title Deed Restriction - T29991/1970 B SUBJECT FURTHER to the following condition contained in Deed of Transfer No. T53175/1981 imposed by the Administrator of the Province of the Cape of Good Hope when approving of the Township in terms of Ordinance No. 33 of 1934 namely: 1. The owner of this erf shall, without compensation, be obliged to allow electricity cables and/or wires and main and/or other waterpipes and the sewage and drainage, including stormwater or any other erf or erven inside or outside this township to be conveyed across this erf, if deemed necessary by the local authority in such a manner and position as may from time to time be reasonably required. This shall include the right of access to the erf at any reasonable time for the purpose of constructing, altering, removing or inspecting any works connected with the above. 2. The owner of this erf shall be obliged without compensation, to receive such material or permit such excavation on the erf, as may be required to allow use of the full width of the street and provide a safe and proper slope to its bank owing to difference between the levels of the street as finally constructed and the erf, unless he elects to build retaining walls to the satisfaction of and within a period to be determined by the local authority. 3. This erf shall be used only for such purposed as are permitted by the Town Planning Scheme of the local authority and subject to the conditions and restrictions stipulated by the scheme.	**under similar tenure.** • Subject to the **right allow electricity services, waterpipes, sewage and stormwater drainage to be conveyed across this erf**, and **allow right of access to services at any reasonable time** • Subject to the **obligation to allow the use of the full width of the street (including any excavation, fill, sloped banks and retaining walls as may be required** • Subject to the erf **only being used for such purposed as are permitted by the Town Planning Scheme of the local authority and subject to the conditions and restrictions stipulated by the scheme**
118877	**SOUTH AFRICAN**	Y	Y	**Title Deed Restriction** - T8256/1957	• Subject to **water rights relating to the**

	HERITAGE RESOURCES AGENCY			Voorwaarde vervat in genoemde Akte van Transport nr. 12261 gedateer 18 Desember 1925: "That the Transferee and his successors in Title to said Block N shall have a proportionate share in such water from the Liesbeek River as may be available to the transferors from time to time subject to such obligations and duties as may be imposed by lawful authority, provided that the share allotted to Block N shall in any case not exceed the proportion according to River frontage of Block N and the remainder of the Estate held by the Transferors under aforesaid Deed of Grant or their successors in title, provided also that the transferee and his successors shall have due regard to the rights of other proprietors in leading water from the river." **Title Deed Restriction** - T33362/1985 B ONDERHEWIG VERDER aan die voorwaardes opgele deur en ten gunste van die REPUBLIEK VAN SUID AFRIKA: (b) Indien die grond en geboue daarop nie meer vir n historiese gedenkwaardighede benodig word nie dit kosteloos op die koste van die eienaar aand die Staat teruggetransporteer word. By Notarial Deed of Servitude No K151'99. The within mentioned property is subject to a **temporary servitude right of way 4 m wide**, the north western boundary is represented by the line A B on servitude diagram no S G 1404/98 I.F.O Erf 148700 = 5522 m² Cape Town held by T22191/1993 will more fully appear from the said servitude. By Notarial Deed of Servitude No K152'99. The within mentioned property is subject to a **servitude in favour of the municipality** 1) To construct an **electrical substation** within the figure ABCD -**18m²** on servitude diagram SG No 1405/98	**proportionate share of water from the Liesbeek River.** • Subject to **a restriction related to the use of the property whereby if the property is no longer used for historical monument purposes then ownership will revert to the State** • Subject to **a 4m wide temporary servitude right of way in favour of Erf 148700** • Subject to **an electrical servitude (18m²) for an electrical substation**

				2) To construct, erect and lay such poles, stays, cables, wires of appurtenances as may be necessary within **servitude area 2,m wide**. The southern boundary which is represented by the line E F on servitude SG No 1405/98 with ancillary rights as will more fully appear from the said Notarial Deed. By Notarial Deed of Servitude No K153'99. The within mentioned property is subject 1) A **servitude right of way 9 m wide** the north western boundary of which servitude is represented by the line A B on servitude diag SG No 1403/98 2) A **temporary servitude right of way 4 m wide**. The centre line of which servitude is represented by line A B C D E on servitude diag SG No 1402.98 I.F.O Erf 160696 ptn of 148700 Cape Town= 7938 m² held by deed of transfer T. As will more fully appear from the said Notarial Deed. <u>Endorsement i.t.o Section 58 of the National Heritage Resources Act No.25 of 1999.</u> In terms of Section 1 of the National Heritage Resources Act No.25 of 1999, the within mentioned property now vests in the South African Heritage Resources Agency as will more fully appear from application filed with BC <u>32011/2007.</u>	• Subject to **an electrical servitude area (2m wide) for electrical cables** • Subject to **a 9m wide servitude right of way in favour of Erf 160696** • Subject to **a 4m wide temporary servitude right of way in favour of Erf 160696** • **Endorsement noting that property now vests in the South African Heritage Resources Agency**
118929	**ALLWELD INVESTMENTS PTY LIMITED**	Y	N	**Title Deed Restriction** - T76797/1999 I.B SUBJECT FURTHER to the following condition contained in Deed of grant dated 9 April 1867 (Cape Quitrents Volume 13 No. 8 reading – "That all existing roads and thoroughfares shall remain free and uninterrupted."	• Subject to a **restriction that all existing roads and thoroughfares shall remain free and uninterrupted**

				II.B **<u>SUBJET FURTHER</u>** to the following condition contained in Deed of Grant dated 15 December 1914 (Cape Freeholds Volume 28. No 21) namely: "1. …….. 2. …….. 3. SUBJECT, however, to all such duties and regulations as are either already or shall in future be established with regard to lands under similar tenures II SUBJECT FURTHER to the following condition contained in Deed of Transfer No. T14385/1976 imposed by the Administrator of the Province of the Cape of Good Hope when approving of the Township in terms of Ordinance No. 33 of 1934 namely: 1. The owner of this erf shall, without compensation, be obliged to allow electricity cables and/or wires and main and/or other waterpipes and the sewage and drainage, including stormwater or any other erf or erven inside or outside this township to be conveyed across this erf, if deemed necessary by the local authority in such a manner and position as may from time to time be reasonably required. This shall include the right of access to the erf at any reasonable time for the purpose of constructing, altering, removing or inspecting any works connected with the above. 2. The owner of this erf shall be obliged without compensation, to receive such material or permit such excavation on the erf, as may be required to allow use of the full width of the street and provide a safe and proper slope to its bank owing to difference between the levels of the street as finally constructed and the erf, unless he elects to build retaining walls to the satisfaction of and within a period to be determined by the local authority.	• Subject to **all such duties and regulations as are either already established or shall in future be established with regard to lands held under similar tenure.** • Subject to the **right allow electricity services, waterpipes, sewage and stormwater drainage to be conveyed across this erf**, and **allow right of access to services at any reasonable time** • Subject to the **obligation to allow the use of the full width of the street (including any excavation, fill, sloped banks and retaining walls as may be required**

129571	**CITY OF CAPE TOWN**	Y	N	**Title Deed Restriction** - T8256/1957 Voorwaarde vervat in genoemde Akte van Transport nr. 12261 gedateer 18 Desember 1925: "That the transferee and his successors in Title to said Block N shall have a proportionate share in such water from the Liesbeek River as may be available to the transferors from time to time subject to such obligations and duties as may be imposed by lawful authority, provided that the share allotted to Block N shall in any case not exceed the proportion according to River frontage of block N and the remainder of the Estate held by the Transferors under aforesaid Deed of Grant or their successors in title, provided also that the transferee and his successors in title shall have due regard to the rights of other proprietors in leading water from the river."	• Subject to **water rights relating to the proportionate share of water from the Liesbeek River.**
140294	**NEWSHELF 922 PTY LTD**	Y	Y	**Title Deed Restriction** – T8256/1957 Voorwaarde vervat in genoemde Akte van Transport nr. 12261 gedateer 18 Desember 1925: "That the Transferee and his successors in Title to said Block N shall have a proportionate share in such water from the Liesbeek River as may be available to the transferors from time to time subject to such obligations and duties as may be imposed by lawful authority, provided that the share allotted to Block N shall in any case not exceed the proportion according to River frontage of Block N and the remainder of the Estate held by the Transferors under aforesaid Deed of Grant or their successors in title, provided also that the transferee and his successors shall have due regard to the rights of other proprietors in leading water from the river." **Title Deed Restriction** – T8296/2009 C. **SUBJECT OR ENTITLED** to the following conditions imposed by the City of Cape Town in terms of Ordnance 15 of 1985 when approving the subdivision of Erf 140494	• Subject to **water rights relating to the proportionate share of water from the Liesbeek River.**

				Cape Town at OBSERVATORY AS DEPICTED ON Diagram S.G. No. 4438/2004 attached to Certificate of Registered title no T68803/2005. 1. **SUBJECT** to a services servitude area depicted by the figure aEDbcdef on Diagram S.G. No. 4438/2004 in favour of Erf 168891 Cape Town at Observatory, in extent 8075 square metres, held by Certificate of Registered Title No. T68803/2005. 2. **ENTITLED** to a Water Main Pipeline Servitude 2(two) metres wide, the Western boundary whereof is depicted by the line DEF on Diagram S.G. No. 4438/2004 over Erf 168891 Cape Town at Observatory, in extent 8075 square metres, held by deed of transfer No. T32504/2006 as will more fully appear from said Notarial Deed No K821/2008. 3. **SUBJECT** to a sewer servitude 2 metres wide, the centre line of which is depicted by the line kl, lm and np on Diagram S.G. no 4438/2004 in favour of Erf 168891 Cape Town at Observatory, in extent 8075 square metres, held by Certificate of registered Title No. T68803/2005. 4. **ENTITLED** to an electrical servitude 2 metres wide, the southern of which is depicted by the line DC on Diagram S.G. No. 4438/2008 over Erf 168891 Cape Town at Observatory, in extent 8075 square metres, held by Certificate of Registered Title No. T68803/2005.	• Subject to a **services servitude area (8075m^2) in favour of Erf 168891** • **Entitled to a 2m wide water main pipeline servitude (8075m^2) over Erf 168891** • Subject to a 2m wide **sewer servitude area (8075m^2) in favour of Erf 168891** • **Entitled to a 2m wide electrical servitude (8075m^2) over Erf 168891**
148700	**UNIVERSITY OF CAPE TOWN**	Y	Y	**Title Deed Restriction** – T8256/1957 Deed of Transfer No. 12261 dated 18th December, 1925: "That the transferee and his successors in Title to said Block N shall have a proportionate share in such water from the Liesbeek River as may be available to the transferors from time to time subject to such obligations and duties as may be imposed by lawful authority, provided that the share allotted to Block N shall in any case not exceed the	• Subject to **water rights relating to the proportionate share of water from the Liesbeek River.**

				proportion according to River frontage of block N and the remainder of the Estate held by the Transferors under aforesaid Deed of Grant or their successors in title, provided also that the transferee and his successors in title shall have due regard to the rights of other proprietors in leading water from the river." **Title Deed Restriction** – T22191/1993 By Notarial Deed of Servitude No151/1999 The within mentioned property is entitled to a temporary servitude right of way 4 m wide. The Western boundary is represented by the line AB on servitude diagram S G 1404/98 over erf 118877:111456 Cape Town As will more fully appear from the said servitude	• Entitled to **a 4m wide temporary servitude right of way over Erf 118877**
154157	**METBOARD PROP LTD**	Y	N	**Title Deed Restriction** – T72338/2002 B. SUBJECT FURTHER to the following condition contained in Deed of Grant dated 15 December 1914 (Cape Freeholds Volume 28 no 21) namely: Subject however, to all such duties and regulations as are either already or shall in future be established with regard to lands held under similar tenure. **Title Deed Restriction** – T4736/1912 "That all existing roads and thoroughfares shall remain free and uninterrupted." **Title Deed Restriction** – T72338/2002 SUBJECT FURTHER to the following condition imposed by the Administrator of the Province of the Cape of Good Hope contained in Deed of Transfer No. T53175/81 when approving of Oude Molen township in terms of Ordinance No. 33 of 1934: 1. The owner of this erf shall, without compensation, be obliged to allow electricity cables and/or wires and main and/or other waterpipes and the	• Subject to **all such duties and regulations as are either already established or shall in future be established with regard to lands held under similar tenure.** • Subject to a **restriction that all existing roads and thoroughfares shall remain free and uninterrupted** • Subject to the **right allow electricity services, waterpipes, sewage and stormwater drainage to be conveyed**

				sewage and drainage, including stormwater or any other erf or erven inside or outside this township to be conveyed across this erf, if deemed necessary by the local authority in such a manner and position as may from time to time be reasonably required. This shall include the right of access to the erf at any reasonable time for the purpose of constructing, altering, removing or inspecting any works connected with the above. 2. The owner of this erf shall be obliged without compensation to receive such material or permit such excavation on the erf, as may be required to allow use of the full width of the street and provide a safe and proper slope to its bank owing to difference between the levels of the street as finally constructed and the erf, unless he elects to build retaining walls to the satisfaction of and within a period to be determined by the local authority. 3. This erf shall be used only for such purposed as are permitted by the Town Planning Scheme of the local authority and subject to the conditions and restrictions stipulated by the scheme.	**across this erf**, and **allow right of access to services at any reasonable time** • Subject to the **obligation to allow the use of the full width of the street (including any excavation, fill, sloped banks and retaining walls as may be required)** • Subject to the erf **only being used for such purposed as are permitted by the Town Planning Scheme of the local authority and subject to the conditions and restrictions stipulated by the scheme**
154478	**CITY OF CAPE TOWN**	Y	Y	**Title Deed Restriction** – T4044/1997 B ENTITLED to the rights contained in the Deed of **Servitude** dated 20th November 1899 annexed to Deed of Transfer No. T1113 dated 18 February 1899, and endorsed thereon by endorsement dated 2nd March 1900 to the effect that the owners of the remainder of the Nieuwe Molen Estate of which the property hereby transferred forms a portion, have **the right to a ten foot road** Lot 1 Block L of Nieuwe Molen. **Title Deed Restriction** – T4735/1912	• Entitled to **a 10 foot road on Lot 1 Block L of Nieuwe Molen** • Subject to a **restriction that all existing roads and thoroughfares shall remain**
154546	**CITY OF CAPE TOWN**	Y	Y		
154547	**CITY OF CAPE TOWN**	Y	Y		

				"That all existing roads and thoroughfares shall remain free and uninterrupted."	**free and uninterrupted**
160695	**THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS IN SOUTH AFRICA**	Y	N	**Title Deed Restriction** – T8256/1957 Voorwaarde vervat in genoemde Akte van Transport nr. 12261 gedateer 18 Desember 1925: "That the Transferee and his successors in Title to said Block N shall have a proportionate share in such water from the Liesbeek River as may be available to the transferors from time to time subject to such obligations and duties as may be imposed by lawful authority, provided that the share allotted to Block N shall in any case not exceed the proportion according to River frontage of Block N and the remainder of the Estate held by the Transferors under aforesaid Deed of Grant or their successors in title, provided also that the transferee and his successors shall have due regard to the rights of other proprietors in leading water from the river."	• Subject to **water rights relating to the proportionate share of water from the Liesbeek River.**
160696	**WESTERN PROVINCE CHINESE ASSOCIATION PROPERTY (PTY) LTD**	Y	Y	**Title Deed Restriction** – T8256/1957 Voorwaarde vervat in genoemde Akte van Transport nr. 12261 gedateer 18 Desember 1925: "That the Transferee and his successors in Title to said Block N shall have a proportionate share in such water from the Liesbeek River as may be available to the transferors from time to time subject to such obligations and duties as may be imposed by lawful authority, provided that the share allotted to Block N shall in any case not exceed the proportion according to River frontage of Block N and the remainder of the Estate held by the Transferors under aforesaid Deed of Grant or their successors in title, provided also that the transferee and his successors shall have due regard to the rights of other proprietors in leading water from the river." **Title Deed Restriction** – T13321/1999	• Subject to **water rights relating to the proportionate share of water from the Liesbeek River.**

				By Notarial Deed of Servitude No K . The within mentioned property is entitled to: 1. A servitude right of way 9 M wide, the north western boundary of which servitude is represented by the line A B on servitude diag S G M 1403/98 2. A temporary servitude right of way 4 m wide, the centre line of which servitude is represented by line A B C D E on servitude diagram S G No 1402/98 Duel Erf 118877 Cape Town =1,1456 HA Held by Deed of Transfer T33362/85 as will more fully appear from the said Notarial Deed	• Entitled to **a 9m wide servitude right of way** • Entitled to **a 4m wide temporary servitude right of way**
161229	**ORDER OF THE PALLOTTINE MISSIONARY SISTERS IN SOUTH AFRICA**	Y	Y	**Title Deed Restriction** – T74170/2000 1. That the land hereby transferred be used for hospital purposes and for purposes ancillary thereto. 4. That in the event of the land or buildings ceasing at any time to be used for the purposes of a hospital, and for purposes ancillary thereto, the transferee shall pay to the council the sum of R8000.00. 5. That the Transferee pay legal rates and taxes on the whole valuation of property and buildings. 7. That the hospital be undenominational, the building or buildings to be used exclusively for hospital purposes, and for purposes ancillary thereto. C. SUBJECT FURTHER to the endorsement on said Deed of Transfer No. 13074/1936 which endorsement, dated 29th October 1962, reading as follows: "By Notarial Deed No 711/1962 d.d 7/9/91962 Portion RCH of Lot MM measuring 2.3030 mgn held hereunder shall in future be held under one ownership with portion 3 of lot MM measuring 1.2411 mgn held by DT No. 15744/1962 and	• Subject to **a restriction that the land only be used for hospital and ancillary purposes** • Subject to a **condition that in the event of the land ceasing to be used for hospital or ancillary purposes, the transferee shall pay to the council the sum of R8000.00** • Subject to a **restriction that the Transferee pay legal rates and taxes on the whole valuation of property and buildings** • Subject to a **restriction that the hospital be undenominational and the buildings be used exclusively for hospital and ancillary purposes** • Subject to a **restriction relating to ownership that Portion RCH of Lot MM measuring 2.3030 mgn shall in future be held under one ownership with portion 3 of lot MM measuring 1.2411 mgn and shall not be transferred or dealt with**

				shall not be transferred or dealt with separately, which conditions is enforceable by the Municipality of Cape Town. As will more fully appear on reference to the said notarial deed B. SUBJECT FURTHER to the following special condition contained in Deed of Transfer No. T15744/1962, imposed by the Municipality of the City of Cape Town (wherein it is referred to as "the Council") for its benefit, namely:- "That the Council shall have the rights of access at all reasonable times in perpetuity to the land hereby transferred for the purpose of inspecting, maintaining, repairing, altering, removing and adding to the underground electric cable within the servitude area 10 Cape feet wide, the centre line of which is indicated by the line x-y up to the boundaries A.B and E.A on the annexed Diagram No.2361/60 with the right to bring its employees and vehicles on to the land for the purposes aforesaid and that no buildings or structures or any portions thereof shall be erected nor shall any fencing posts be drive in within the servitude area aforesaid." C. SUBJECT FURTHER to the endorsement on said Deed of Transfer No. T15744/1962 which endorsement, dated 29th October 1962, reading as follows: "By Notarial Deed No 711/1962 dated 7/9/91962 the within property being portion 3 of Lot M.M. measuring 1.2411 mgn shall in future be held under one ownership with portion RCH of lot M.M. measuring 2.3030 mgn held by DT No. 13074/1936 and shall not be transferred or dealt with separately, which conditions is enforceable by the Municipality of Cape Town. As will more fully appear on reference to the said notarial deed	**separately** • Subject to a **restriction that the Council shall have rights of access to the underground electric cable within the 10 Cape feet wide servitude area and that no buildings or structures may be erected within the servitude area** • Subject to a **restriction relating to ownership that portion 3 of Lot M.M. measuring 1.2411 mgn shall in future be held under one ownership with portion RCH of lot M.M. measuring 2.3030 mgn and shall not be transferred or dealt with separately**

168891	**SS Parklane (multiple owners)**	N	Y	**Sectional Scheme SS Parklane 289/2011** **Schedule of Conditions** - 11(3)(b) 1. **ENTITLED** to a services servitude area depicted by the figure aEDbcdef on Diagram S.G. No. 4438/2004 over Remainder Erf 410294 Cape Town at Observatory, in extent 8335 square metres, held by Deed of Transfer No T68809/2005. 2. **SUBJECT** as more fully set out in Notarial Deed of Servitude No K821/21008 to a Water Main Pipeline Servitude 2(two) metres wide, the Western boundary whereof is depicted by the line DEF on Diagram S.G. No. 4438/2004 in favour of Remainder Erf 140294 Cape Town at Observatory, in extent 8335 square metres, held by deed of transfer No. T68809/2006 3. **ENTITLED** to a sewer servitude 2 metres wide, the centre line of which is depicted by the line kl, lm and np on Diagram S.G. no 4438/2004 over Remainder Erf 140294 Cape Town at Observatory, in extent 8335 square metres, held by Deed of Transfer No. T68809/2006. 4. **SUBJECT** to an electrical servitude 2 metres wide, the southern of which is depicted by the line DC on Diagram S.G. No. 4438/2008 in favour of Remainder Erf 140294 Cape Town at Observatory, in extent 8335 square metres, held by Certificate of Registered Title No. T68809/2005.	• Entitled to **a services servitude area (8335m²) over Remainder Erf 410294** • Subject to a **2m wide water main pipeline servitude (8335m²) in favour of Remainder Erf 140294** • Entitled to **a services servitude area (8335m²) over Remainder Erf 140294** • Subject to a **2m wide water main pipeline servitude (8335m²) in favour of Remainder Erf 140294**
168892	**CITY OF CAPE TOWN**	Y	N	**Title Deed Restriction** - T8256/1957 Voorwaarde vervat in genoemde Akte van Transport nr. 12261 gedateer 18 Desember 1925: "That the Transferee and his successors in Title to said Block N shall have a proportionate share in such water from the Liesbeek River as may be available to the transferors from time to time subject to such obligations and duties as may be imposed by lawful authority, provided that the share allotted to Block N shall in any case not exceed the	• Subject to **water rights relating to the proportionate share of water from the Liesbeek River.**

				proportion according to River frontage of Block N and the remainder of the Estate held by the Transferors under aforesaid Deed of Grant or their successors in title, provided also that the transferee and his successors shall have due regard to the rights of other proprietors in leading water from the river."	
168894	**SS Vincent Pallotti Hospital**	Y	Y	**Sectional Scheme SS Vincent Pallotti Hospital No 421/2009 Schedule of Conditions - 11(3)(b)** Approved consent use to permit encroachment and projection of portion of a hospital building (tantamount to an architectural feature) over land zoned as Public open space - The Vincent Pallotti Hospital encroaches over land owned by City of Cape Town and is zoned as Public open space. The application was submitted to rectify any unauthorised building encroachment over the boundary of Erf 168894, Observatory. The land hereby transferred by the Council be used solely for hospital purposes and for purposes ancillary thereto and if at any time It shall cease to be used or shall no longer be required for the said purposes, it shall either revert to the Council without payment or compensation for any improvement effected to or on the said land shall pay to the council the difference between the present fair market value of the land, that is R22000 and the sale price of R1 000.00 in which event the land may be used for such purpose and be subject to such conditions as the Council with the Administrators consent may permit. That any hospital erected on the site be undenominational, the buildings to be used exclusively for hospital purposes and for purposes ancillary thereto.	- Entitled to **permit encroachment and projection of portion of a hospital building (tantamount to an architectural feature) over land zoned as Public open space** • Subject to a **restriction that the land be used exclusively for hospital and purposes ancillary, if at any time it ceases to be used for said purposes it will either revert back to Council or be sold to the user subject to the conditions of the Council** • Subject to a **restriction that the hospital be undenominational and the buildings be used exclusively for hospital and ancillary purposes**

				That in the event of land or buildings ceasing at any time to be used for the purposes of a hospital and for purposes ancillary thereto, the transferee shall pay to the Council the sum of R8000.00 That the transferee pay legal rates and taxes on the whole valuation of property and buildings. SUBJECT FURTHER to the endorsement on said Deed of Transfer No. 13074/1936 which endorsement, dated 29th October 1962, reading as follows: "By Notarial Deed No 711/1962 d.d 7/9/91962 Portion RCH of Lot MM measuring 2.3030 mgn held hereunder shall in future be held under one ownership with portion 3 of lot MM measuring 1.2411 mgn held by DT No. 15744/1962 and shall not be transferred or dealt with separately, which conditions is enforceable by the Municipality of Cape Town.As will more fully appear on reference to the said notarial deed." SUBJECT FURTHER to the following special condition contained in Deed of Transfer No. T15744/1962, imposed by the Municipality of the City of Cape Town (wherein it is referred to as "the Council") for its benefit, namely:- "That the Council shall have the rights of access at all reasonable times in perpetuity to the land hereby transferred for the purpose of inspecting, maintaining, repairing, altering, removing and adding to the underground electric cable within the servitude area 10 Cape feet wide, the centre line of which is indicated by the line x-y up to the boundaries A.B and E.A on the annexed Diagram No.2361/60 with the right to bring its employees and vehicles on to the land for the purposes aforesaid and that no buildings or structures or any portions thereof shall be erected nor shall any fencing	• Subject to a **condition that in the event of the land ceasing to be used for hospital or ancillary purposes, the transferee shall pay to the council the sum of R8000.00** • Subject to a **restriction that the Transferee pay legal rates and taxes on the whole valuation of property and buildings** • Subject to a **restriction relating to ownership that Portion RCH of Lot MM measuring 2.3030 mgn shall in future be held under one ownership with portion 3 of lot MM measuring 1.2411 mgn and shall not be transferred or dealt with separately** • Subject to a **restriction that the Council shall have rights of access to the underground electric cable within the 10 Cape feet wide servitude area and that no buildings or structures may be erected within the servitude area**

				posts be drive in within the servitude area aforesaid." The centre line of which said underground electric cable servitude is marked t.u on Diagram No. 3620/2004	
				SUBJECT FURTHER to the endorsement on said Deed of Transfer No. T15744/1962 which endorsement, dated 29th October 1962, reading as follows: "By Notarial Deed No 711/1962 dated 7/9/91962 the within property being portion 3 of Lot M.M. measuring 1.2411 mgn shall in future be held under one ownership with portion RCH of lot M.M. measuring 2.3030 mgn held by DT No. 13074/1936 and shall not be transferred or dealt with separately, which conditions is enforceable by the Municipality of Cape Town. As will more fully appear on reference to the said notarial deed	• Subject to a **restriction relating to ownership that portion 3 of Lot M.M. measuring 1.2411 mgn shall in future be held under one ownership with portion RCH of lot M.M. measuring 2.3030 mgn and shall not be transferred or dealt with separately**
				SUBJECT FURTHER to the following conditions contained in Deed of Transfer No T74755/91 imposed by the Municipality of the Cape Town for its benefit:- 1. The Transferee or its successor in title shall only use the said land for the erection of buildings for religious and hospital purposes, and for purposes ancillary thereto, and for no other purpose whatsoever. 2. Should the Transferee or its successors in title to the land use the buildings erected for religious and hospital purposes for any other purposes whatsoever, or erect buildings for any other purpose except as set out above, the said land shall revert to the Municipality without any compensation being payable by the Municipality to the Transferee or its Successors in title for any buildings, works or improvements which may be erected thereon. The cost of such transfer shall be borne by the then owner. However should the	• Subject to **a restriction that the land be used exclusively for hospital and purposes ancillary** • Subject to **a restriction that should the buildings erected for religious and hospital purposes be used for any other purposes, the said land will revert to the Municipality. Should the transferee wish to dispose of the property then it may, at its option, pay to the Municipality the difference between the then market value of the vacant land and the price paid for it namely the amount of R100.00**

				transferee wish to dispose of the property then it may, at its option, pay to the Municipality the difference between the then market value of the vacant land and the price paid for it namely the amount of R100.00 3. The owner of this erf shall, without compensation, be obliged to allow gas mains, electricity, telephone and television cables and/or wires and main and/or other waterpipes and sewage and drainage including stormwater of any other erf or erven to be conveyed across this erf and surface installations such as mini-substations, meter kiosks and service pillars to be installed thereon, if deemed necessary by the local authority and in such manner and position as may from time to tie be reasonable required. This shall include the right of access to the erf at any reasonable time for the purpose of constructing, altering, removing or inspecting any works connected with the above. 4. The owner of this erf shall be obliged without compensation to receive such material or permit such excavation on the erf, as may be required to allow use of the full width of the street and provide a safe and proper slope to its bank owing to difference between the levels of the street as finally constructed and the erf, unless he elects to build retaining walls to the satisfaction of and within a period to be determined by the local authority.	• Subject to the **right allow electricity services, waterpipes, sewage and stormwater drainage to be conveyed across this erf and surface installations to be placed thereon if deemed necessary by the local authority. This will include right of access to the services at any reasonable time.** • Subject to the **obligation to allow the use of the full width of the street (including any excavation, fill, sloped banks and retaining walls as may be required)**

169506	**DIESEL ROAD INV CC**	Y	Y	**Title Deed Restriction** - T54216/2007 B SUBJECT FURTHER to the following condition contained in Deed of grant dated 9 April 1867 (Cape Quitrents Volume 13 No. 8 reading – "That all existing roads and thoroughfares shall remain free and uninterrupted." C SUBJECT FURTHER to the following condition contained in Deed of Transfer No. T.23399/1974 imposed by the Administrator of the Province of the Cape of Good Hope when approving of the Township in terms of Ordinance No. 33 of 1934 namely: 1. The owner of this erf shall, without compensation, be obliged to allow electricity cables and/or wires and main and/or other waterpipes and the sewage and drainage, including stormwater or any other erf or erven inside or outside this township to be conveyed across this erf if deemed necessary by the local authority in such a manner and position as may from time to time be reasonably required. This shall include the right of access to the erf at any reasonable time for the purpose of constructing, altering, removing or inspecting any works connected with the above. 2. The owner of this erf shall be obliged without compensation, to receive such material or permit such excavation on the erf, as may be required to allow use of the full width of the street and provide a safe and proper slope to its bank owing to difference between the levels of the street as finally constructed and the erf, unless he elects to build retaining walls to the satisfaction of and within a period to be determined by the local authority. 3. This erf shall be used only for such purposed as are permitted by the Town Planning Scheme of the local authority and subject to the conditions and	• Subject to a **restriction that all existing roads and thoroughfares shall remain free and uninterrupted** • Subject to the **right allow electricity services, waterpipes, sewage and stormwater drainage to be conveyed across this erf**, and **allow right of access to services at any reasonable time** • Subject to the **obligation to allow the use of the full width of the street (including any excavation, fill, sloped banks and retaining walls as may be required** • Subject to the erf **only being used for such purposed as are permitted by the Town Planning Scheme of the local**

				restrictions stipulated by the scheme. D ENTITLED FURTHER to the following condition imposed by the City of Cape Town in terms of Section 42 of the land Use and Planning Ordinance 15 of 1985, when approving the subdivision of Erf 102639 Cape Town namely:- Entitled to a sewer servitude 3 metres wide over the Remainder Erf 102639 Cape Town, the eastern boundary whereof is depicted by the line CE on Sub-divisional Diagram S.G No. 5169/20005.	**authority and subject to the conditions and restrictions stipulated by the scheme** • Entitled to **a 3m wide sewer servitude (8335m²) over Remainder Erf 102639**
118296	**THE TRANSITIONAL METROPOLITAN SUBSTRUCTURE OF CAPE TOWN (CITY OF CAPE TOWN)**	Y	N	**Title Deed Restriction** - T4736/1912 "That all existing roads and thoroughfares shall remain free and uninterrupted." **Title Deed Restriction** - T29991/1970 "That the land is subject however to all such duties and regulations as are either already or shall in future be established with regard to such lands under similar tenure." **Title Deed Restriction** - T25156/1996 SUBJECT FURTHER to the following condition in Certificate of Registered Title No. T imposed by the Administrator of the of the Cape of Good Hope when approving the establishment of Oude Molen Township which conditions reads as follows: 1. The owner of this erf shall, without compensation, be obliged to allow electricity cables and/or wires and main and/or other waterpipes and the sewage and drainage, including stormwater or any other erf or erven inside or outside this township to be conveyed across this erf, if deemed necessary by the local authority in such a manner and position as may from time to time be reasonably required. This shall include the right of access to the	• Subject to a **restriction that all existing roads and thoroughfares shall remain free and uninterrupted** • Subject to **all such duties and regulations as are either already or shall in future be established with regard to such lands** • Subject to the **right allow electricity services, waterpipes, sewage and stormwater drainage to be conveyed across this erf**, and **allow right of access to services at any reasonable time**

				erf at any reasonable time for the purpose of constructing, altering, removing or inspecting any works connected with the above. 2. The owner of this erf shall be obliged without compensation, to receive such material or permit such excavation on the erf, as may be required to allow use of the full width of the street and provide a safe and proper slope to its bank owing to difference between the levels of the street as finally constructed and the erf, unless he elects to build retaining walls to the satisfaction of and within a period to be determined by the local authority. 3. This erf shall be used only for such purposed as are permitted by the Town Planning Scheme of the local authority and subject to the conditions and restrictions stipulated by the scheme.	• Subject to the **obligation to allow the use of the full width of the street (including any excavation, fill, sloped banks and retaining walls as may be required** • Subject to the erf **only being used for such purposed as are permitted by the Town Planning Scheme of the local authority and subject to the conditions and restrictions stipulated by the scheme**
26423-0-1	**NATIONAL RESEARCH FOUNDATION**	Y	Y	**Title Deed Restriction** - T21739/1989 B GEREGTIG op die waarna verwys word in endossement gedateer 13 November 1956 op Grondbrief gedateer 24 Junie 1889 (Kaapse Eiendomsbriewe Volume 20 Nr 1), welke endoseement soos volg lees; "Registration of servitude – Remainder By Notarial Deed No. 638/1956 dated 5th October 1956 the properties Portions 4 and 5 of the Royal Observatory measuring 509 square metres and 5094 square metres respectively Conveyed by Crown grant No. 274/1956 registered this day are Subject to restrictions against: A. (a) Erection of Buildings (b) Burning bushes or lighting fires (c) Making of bricks or carrying on of any other manufacture or trade (d) Interference with light and (e) Making of roads;	• Subject to registration of servitude.
26423-0-2 (REM)	**NATIONAL RESEARCH FOUNDATION**	Y	Y		• Subject to **restrictive conditions relating to use** in favour of the *Observatory*.

				B. Subject further to the right without payment of compensation to convey water over the said properties and to lay and maintain piping, after consultation with the Council of the City of Cape Town in favour of the Remainder of the Royal Observatory measuring 1,1967 hectares held hereunder; as will more fully appear on reference to the said Notarial Deed a copy whereof is hereunto annexed." **Deed of grant dated 24 June 1889 (Cape Freeholds Volume 20 No.1)** Such duties and regulations as are either already or shall in future be established with regard to such road and so far as they are applicable to the terms of an agreement dated 5 November 1839.	• Subject to the **right to convey water and lay and maintain piping** in favour of the Remainder of the Royal Observatory (measuring 1.1967ha) • Subject to **such duties and regulations as are either already or shall in future be established with regard to such road**