

**AGENDA of the  
Portfolio Committee : Investment & Infrastructure  
6 February 2023  
(Also the agenda for the Mayoral Committee Meeting : 14 February 2023)**

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14.

**ZWELIHLE: EXCHANGE TRANSFERS: ERVEN 584 AND 244 ZWELIHLE, ERVEN 794 AND 798 ZWELIHLE AND REQUEST FOR THE DEBT ON THE ACCOUNTS OF THE ERVEN TO BE WRITTEN OFF**

**A Le Roux  
31 August 2022**

**Senior Manager: Property Administration**

**(028) 316-5623**

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**1. Executive Summary**

To obtain approval from Council to pay the transfer costs to assist with the:

- (a) exchange transfer of Erven 794 and 798 Zwelihle; and
- (b) exchange transfer of Erven 584 and 244 Zwelihle;

To obtain approval from Council to write off all debt in relation to Erven 794 and 798, 584 and 244, to be able to attend to the above transfers for which rate clearance certificates will be needed.

**2. Service Delivery and Budget Implementation Plan - IGNITE**

Directorate: Community Services  
Housing and Social Upliftment  
Directorate: Infrastructure and Planning  
Property Administration

**3. Compliance with Strategic Priorities**

Provision of democratic, accountable and ethical governance  
Promotion of tourism, economic and social development

**4. Delegated Authority**

None

**5. Legal Requirements**

- Local Government: Municipal Systems Act, Act 32 of 2000
- Customer Care, Credit Control & Debt Collection Policy of the Overstrand Municipality as amended from time to time

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**6. Background/Discussion/Evaluation/Conclusion**

**Background/Discussion**

The Property Administration Department was requested to assist with the subsequent transfer of the properties if the recommendations are approved by Council. Although the relevant department did finalise the necessary report to Council in order for the Property Administration Department to assist as requested, and due to commitments made by the relevant department to the parties involved as well as the nearing financial year-end a decision was made by the Property Administration to attend to and finalise the report.

**ERVEN 794 AND 798 ZWELIHLE**

Erven 794 and 798 is situated in Manzi Street, Zwelihle. See locality map attached marked Annexure A. The municipal valuations for the two erven as on 1 July 2015 are:

- Erf 794 Zwelihle: R24,400.00
- Erf 798 Zwelihle: R24,400.00

The above values are in accordance with the current municipal valuation roll.

Erf 794 Zwelihle was allocated in 1992 by the old Zwelihle Municipality as a leasehold to Mr Nceba Patrick Moss (hereinafter referred to "Moss") with the transaction duly registered in the Deeds Office on 21 October 1992. Moss is thus the registered owner of Erf 794 Zwelihle. This leasehold was automatically converted to ownership. A services account was opened for the levying of services, which account came over to Overstrand Municipality when the old Zwelihle Municipality was dissolved.

Erf 798 Zwelihle was allocated in 1992 by the old Zwelihle Municipality as a leasehold to Mr Siphwa Patrick Malindi (hereinafter referred to as "Malindi") with the transaction duly registered in the Deeds Office on 23 October 1992. Malindi is thus the registered owner of Erf 798 Zwelihle. This leasehold was automatically converted to ownership. A services account was opened for the levying of services, which account came over to Overstrand Municipality when the old Zwelihle Municipality was dissolved.

It came to the Municipality's attention, with the escalation of a customer query, that irrespective of the status of ownership, Moss took occupation of Erf 798 and Malindi of Erf 794. They have thus been occupying each other's properties from 1992 already. Moss alleges that Erf 794 was allocated to him, but when he wanted to take occupation thereof, he found that it was already occupied by Malindi. He was then, allegedly, given occupation of Erf 798. This version could however not be corroborated. Thus, Moss is occupying Erf 798 and

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Malindi is occupying Erf 794. This matter was apparently reported by the two property owners involved years ago to the Housing Department.

What must be noted it that a mistake could have been made with the allocation and subsequent registration of the properties. This is mainly as these two properties forms part of a re-layout of a general plan and are close to each other. See copy of general plan attached marked Annexure B. If these properties were not clearly identified when it was allocated and handed over, an error can occur as to the subsequent registration. No records, except for the title deeds, could be found in the Municipality's records. Before-mentioned information became known after the Finance Directorate set up a meeting with both the complainants, Community Services as well as the Senior Manager: Property Management, for her legal inputs and offer to investigate the matter in depth.

Both Moss and Malindi submitted affidavits where they confirm that, as they have made considerable improvements to the properties, they would like to stay in the respective properties they are occupying. See affidavits attached marked Annexure C. The only way to remedy the mistake made and to ensure that each pays the correct accounts, is to attend to an exchange / rectification transfer in the Deeds Office. The respective owners do not have the financial means to attend to the mentioned transaction. As it seems as if the mistake could have been caused by the old Zwelihle Municipality, it is only fair that the Municipality, as successors in title, rectify the matter.

**ERVEN 244 AND 584 ZWELIHLE**

Erf 244 Zwelihle is situated in Manzi Street, Zwelihle and Erf 584 Zwelihle is situated in Phola Street, Zwelihle. See locality maps attached marked Annexure D. The municipal valuations for the two erven as on 1 July 2015 are:

- Erf 584 Zwelihle: R81,400.00
- Erf 244 Zwelihle: R10,000.00

The above values are in accordance with the current municipal valuation roll.

Erf 584 Zwelihle was allocated in 1992 by the old Town Council of Zwelihle as a registered leasehold to Nkoliseko Magalakanqa (hereinafter referred to as "Magalakanqa") with the transaction duly registered in the Deeds Office on 11 June 1992. Magalakanqa is thus the registered owner of Erf 584 Zwelihle. This leasehold was automatically converted to ownership. A services account was opened for the levying of services, but no record could be found in who's name the account was originally opened, which account came over to Overstrand Municipality when the old Zwelihle Municipality was dissolved. Although documents could be found to the effect that Magalakanqa took occupation of this property (he signed documents to this effect), these

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documents were not signed in the presence of a municipal official, but the attorney who attend to the registration of the lease hold. If the property was not properly identified when allocated, an error could have occurred as to the location and number of the property. What can however be established is that September has been in occupation of the property as early as 1994 which can be inferred by = by the subsidy application September completed in 1999, with the assistance of the late Bobby von Düring in the capacity of Town Clerk at that time, on Erf 584. In 2005 she paid for the connection of services to the property and has been paying the account on this property promptly.

In 1994 Ms Jessie Nontutuzelo September (hereinafter referred to "September") applied for the grant of a leasehold and subsequent sale for Erf 244 Zwelihle which was granted. She paid all the relevant costs related to the transaction.

Erf 244 Zwelihle was subsequently registered as a leasehold in the name of September with the transaction duly registered in the Deeds Office on 7 April 1994. September is thus the registered owner of Erf 244 Zwelihle. This leasehold was automatically converted to ownership. No documentation could be found that September was given occupation of the property nor that she ever occupied the property. What could be established is that Magalakanqa was given occupation of the property at some time in the past. An account in the name of September came over from the old Zwelihle Municipality and no documents could be found as to any formal application for the opening of the account. According to September she was never aware that she is owner of the property, and no proof could be found that she was ever informed that she is the registered owner of Erf 244. No connection for services was done on the property, thus only availability for services is charged on the property. This means that the occupier of the property, Magalakanqa, does not have services on the property. The account for this property is in arrears and has been handed over several times. September cannot pay the account and is not in occupation of the property. One can only infer that there was an error when occupation was given to them in 1992 and 1994 respectively. As with the first case, before-mentioned information became known after the Finance Directorate set up a meeting with both the complainants, Community Services as well as the Senior Manager: Property Management, for her legal inputs and offer to investigate the matter in depth.

Thus, currently September is in occupation of Erf 584 and Magalakanqa is in occupation of Erf 244. Both September and Magalakanqa submitted affidavits where they confirm that, as they have made improvements to the properties, they would like to stay in the respective properties they are occupying. See affidavits attached marked Annexure E. The only way to remedy the mistake made and to ensure that each pays the correct accounts, is to attend to an exchange / rectification transfer in the Deeds Office. The respective owners do not have the financial means to attend to the mentioned transaction. As it

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seems as if the mistake could have been caused by the old Zwelihle Municipality, it is only fair that the Municipality, as successors in title, rectify the matter. In this regard it must be mentioned that there was an attempt in 1999 to rectify the matter which is evident from the letter addressed by the attorneys of the Municipality to the Municipality (Zwelihle) where reference is made to the exchange transaction (see Annexure F).

**MUNICIPAL ACCOUNTS**

As mentioned above the accounts are all currently in arrears and some of the accounts have been handed over for collection. The amounts due on each property are as follows (as on 19 January 2023).

| <b>Erf nr.</b> | <b>Account nr.</b>             | <b>Amount</b> |
|----------------|--------------------------------|---------------|
| 794            | 201007940009 (current account) | R 1,809.83    |

| <b>Erf nr.</b> | <b>Account nr.</b>             | <b>Amount</b>       |
|----------------|--------------------------------|---------------------|
| 798            | 201007980005 (current account) | R 27,880.64         |
| 798            | 900000284054 (handed over)     | R 9,616.22          |
| 798            | 900000346954 (handed over)     | R 6,726.11          |
| 798            | 900000433289 (handed over)     | R 8,320.02          |
| 798            | 900000465886 (handed over)     | R 3,487.37          |
| 798            | 900000487680 (handed over)     | R 2,070.34          |
| 798            | 900000509924 (handed over)     | R 4,553.32          |
| 798            | 900000639564 (handed over)     | R 20,626.83         |
| 798            | 900000672099 (handed over)     | R 8,069.69          |
| 798            | 900000697968 (handed over)     | R 3,926.51          |
| 798            | 900000709708 (handed over)     | R 3,508.23          |
| 798            | 900000722046 (handed over)     | R 3,749.04          |
| 798            | 900000734315 (handed over)     | R 3,243.64          |
|                | <b>Total</b>                   | <b>R 105,777.96</b> |

| <b>Erf nr.</b> | <b>Account nr.</b>             | <b>Amount</b> |
|----------------|--------------------------------|---------------|
| 584            | 201005840006 (current account) | R 6,202.56    |

| <b>Erf nr.</b> | <b>Account nr.</b>             | <b>Amount</b> |
|----------------|--------------------------------|---------------|
| 244            | 201002440009 (current account) | R 10,472.18   |
| 244            | 900000280531 (handed over)     | R 57,884.38   |
| 244            | 900000440979 (handed over)     | R 6,754.72    |
| 244            | 900000465855 (handed over)     | R 2,636.42    |
| 244            | 900000487570 (handed over)     | R 3,892.70    |
| 244            | 900000514337 (handed over)     | R 3,483.27    |
| 244            | 900000538597 (handed over)     | R 7,694.40    |
| 244            | 900000576663 (handed over)     | R 4,884.50    |
| 244            | 900000603884 (handed over)     | R 6,763.75    |

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|     |                            |          |                   |
|-----|----------------------------|----------|-------------------|
| 244 | 900000615720 (handed over) | R        | 7,025.48          |
| 244 | 900000637153 (handed over) | R        | 8,861.25          |
| 244 | 900000645394 (handed over) | R        | 4,575.76          |
| 244 | 900000680955 (handed over) | R        | 5,473.61          |
| 244 | 900000704552 (handed over) | R        | 4,955.61          |
| 244 | 900000730469 (handed over) | R        | 4,889.58          |
|     | <b>Total</b>               | <b>R</b> | <b>140,247.61</b> |

### Evaluation/Conclusion

As mentioned above, the only way to rectify the accounts is to attend to exchange transfers in each of the cases. This will ensure that the accounts are linked to the correct owners. However, the respective parties do not have the financial means to attend to the registration of the exchanges in the Deeds Office. From what can be gathered, is that the confusion and errors in the allocation and subsequent giving of occupation could have been attributed to the old Zwelihle Municipality. It is thus just fair that the Municipality rectify the matters and hence the recommendation will be that the Municipality bears the costs of these exchange/rectification transfers.

The estimated costs to attend to the exchange per transaction, presuming that the original title deeds are not available (as is with Moss) is approximately R16,156.00 for the transaction and approximately R4,647.50 for a registered copy of title deed.

To attend to these transfers, the respective municipal accounts cannot be in arrears as a rates clearance certificate will have to be issued and submitted to the Deeds Office for each property. This means that the following municipal accounts will have to be written off.

|     | <b>Erf nr.</b> | <b>Account nr.</b>             |   | <b>Amount</b> |
|-----|----------------|--------------------------------|---|---------------|
| 1.  | 794            | 201007940009 (current account) | R | 1,809.83      |
| 2.  | 798            | 201007980005 (current account) | R | 27,880.64     |
| 3.  | 798            | 900000284054 (handed over)     | R | 9,616.22      |
| 4.  | 798            | 900000346954 (handed over)     | R | 6,726.11      |
| 5.  | 798            | 900000433289 (handed over)     | R | 8,320.02      |
| 6.  | 798            | 900000465886 (handed over)     | R | 3,487.37      |
| 7.  | 798            | 900000487680 (handed over)     | R | 2,070.34      |
| 8.  | 798            | 900000509924 (handed over)     | R | 4,553.32      |
| 9.  | 798            | 900000639564 (handed over)     | R | 20,626.83     |
| 10. | 798            | 900000672099 (handed over)     | R | 8,069.69      |
| 11. | 798            | 900000697968 (handed over)     | R | 3,926.51      |
| 12. | 798            | 900000709708 (handed over)     | R | 3,508.23      |
| 13. | 798            | 900000722046 (handed over)     | R | 3,749.04      |

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|     |     |                                |          |                   |
|-----|-----|--------------------------------|----------|-------------------|
| 14. | 798 | 900000734315 (handed over)     | R        | 3,243.64          |
| 15. | 584 | 201005840006 (current account) | R        | 6,202.56          |
| 16. | 244 | 201002440009 (current account) | R        | 10,472.18         |
| 17. | 244 | 900000280531 (handed over)     | R        | 57,884.38         |
| 18. | 244 | 900000440979 (handed over)     | R        | 6,754.72          |
| 19. | 244 | 900000465855 (handed over)     | R        | 2,636.42          |
| 20. | 244 | 900000487570 (handed over)     | R        | 3,892.70          |
| 21. | 244 | 900000514337 (handed over)     | R        | 3,483.27          |
| 22. | 244 | 900000538597 (handed over)     | R        | 7,694.40          |
| 23. | 244 | 900000576663 (handed over)     | R        | 4,884.50          |
| 24. | 244 | 900000603884 (handed over)     | R        | 6,763.75          |
| 25. | 244 | 900000615720 (handed over)     | R        | 7,025.48          |
| 26. | 244 | 900000637153 (handed over)     | R        | 8,861.25          |
| 27. | 244 | 900000645394 (handed over)     | R        | 4,575.76          |
| 28. | 244 | 900000680955 (handed over)     | R        | 5,473.61          |
| 29. | 244 | 900000704552 (handed over)     | R        | 4,955.61          |
| 30. | 244 | 900000730469 (handed over)     | R        | 4,889.58          |
|     |     | <b>Total</b>                   | <b>R</b> | <b>254,037.96</b> |

## 7. Financial Implications

The Municipality will bear the costs of the individual transactions to the estimated amount of approximately R32,312.00 with an additional cost of approximately R4,647.00 for each title deed that is lost. The Property Administration Department has graciously agreed to assist and fund these exchange transactions. The relevant department has sufficient funding.

### Source of Funding Operating Budget Provisions

|                            |   |
|----------------------------|---|
| Unique Key                 | : 20210629094366                          |
| Cost Account               | : 10226222290000                          |
| Item Description           | : Operational Cost: Land Alienation Costs |
| Budget Provision 2022/2023 | : R120,500.00 (amended)                   |
| Spent to Date/Committed    | : R 28,864.26                             |
| Balance Available          | : R91,635.74 (as on 19 January 2023)      |

The following accounts will be written off in order to be able to attend to the exchange transaction:

|    | <b>Erf<br/>nr.</b> | <b>Account nr.</b>             | <b>Amount</b> |   |          |
|----|--------------------|--------------------------------|---------------|---|----------|
| 1. | 794                | 201007940009 (current account) | R 1,809.83    | R | 1,809.83 |
| 2. | 798                | 201007980005 (current account) | R 27,880.64   |   |          |
| 3. | 798                | 900000284054 (handed over)     | R 9,616.22    |   |          |

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|     |     |                                |   |           |                            |
|-----|-----|--------------------------------|---|-----------|----------------------------|
| 4.  | 798 | 900000346954 (handed over)     | R | 6,726.11  |                            |
| 5.  | 798 | 900000433289 (handed over)     | R | 8,320.02  |                            |
| 6.  | 798 | 900000465886 (handed over)     | R | 3,487.37  |                            |
| 7.  | 798 | 900000487680 (handed over)     | R | 2,070.34  |                            |
| 8.  | 798 | 900000509924 (handed over)     | R | 4,553.32  |                            |
| 9.  | 798 | 900000639564 (handed over)     | R | 20,626.83 |                            |
| 10. | 798 | 900000672099 (handed over)     | R | 8,069.69  |                            |
| 11. | 798 | 900000697968 (handed over)     | R | 3,926.51  |                            |
| 12. | 798 | 900000709708 (handed over)     | R | 3,508.23  |                            |
| 13. | 798 | 900000722046 (handed over)     | R | 3,749.04  |                            |
| 14. | 798 | 900000734315 (handed over)     | R | 3,243.64  | R 105,777.96               |
| 15. | 584 | 201005840006 (current account) | R | 6,202.56  | R 6,202.56                 |
| 16. | 244 | 201002440009 (current account) | R | 10,472.18 |                            |
| 17. | 244 | 900000280531 (handed over)     | R | 57,884.38 |                            |
| 18. | 244 | 900000440979 (handed over)     | R | 6,754.72  |                            |
| 19. | 244 | 900000465855 (handed over)     | R | 2,636.42  |                            |
| 20. | 244 | 900000487570 (handed over)     | R | 3,892.70  |                            |
| 21. | 244 | 900000514337 (handed over)     | R | 3,483.27  |                            |
| 22. | 244 | 900000538597 (handed over)     | R | 7,694.40  |                            |
| 23. | 244 | 900000576663 (handed over)     | R | 4,884.50  |                            |
| 24. | 244 | 900000603884 (handed over)     | R | 6,763.75  |                            |
| 25. | 244 | 900000615720 (handed over)     | R | 7,025.48  |                            |
| 26. | 244 | 900000637153 (handed over)     | R | 8,861.25  |                            |
| 27. | 244 | 900000645394 (handed over)     | R | 4,575.76  |                            |
| 28. | 244 | 900000680955 (handed over)     | R | 5,473.61  |                            |
| 29. | 244 | 900000704552 (handed over)     | R | 4,955.61  |                            |
| 30. | 244 | 900000730469 (handed over)     | R | 4,889.58  | R 140,247.61               |
|     |     | <b>Total</b>                   |   |           | <b><u>R 254,037.96</u></b> |

The above amounts are as on 19 January 2023.

#### **8. Staff Implications**

None

#### **9. Comments from other Departments, Divisions and Administrations**

##### **Senior Manager : Revenue, Ms E Hooneberg - (028) 313 8149**

The write-off of the debts is supported. It must be noted that the amounts to be written off will be impacted by any time delay onwards up to the respective clearance applications.

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**10. Annexures**

- Annexure A: Locality maps Erven 794 and 798 Zwelihle
- Annexure B: General plan for Erven 794 and 798 Zwelihle
- Annexure C: Affidavits in relation to Erven 794 and 798 Zwelihle
- Annexure D: Locality map Erven 244 and 584 Zwelihle
- Annexure E: Affidavits in relation to Erven 244 and 584 Zwelihle
- Annexure F: Letter from Guthrie & Theron Attorneys

**RECOMMENDATION TO THE COUNCIL:**

1. that it **be approved** that the Municipality attends to and bears all the cost relating to the exchange/rectification transfer of Erven 794 and 798 Zwelihle;
2. that it **be approved** that the Municipality attends to and bears all the cost relating to the exchange/rectification transfer of Erven 244 and 584 Zwelihle; and
3. that the writing off of the levies, administrative charges, penalties, etc. on the accounts and handed over accounts up to 19 January 2023 amounting to, plus any subsequent charges up to the date of registration in the Deeds Office, for the following erven, **be approved**:

| <b>Erf nr.</b> | <b>Account nr.</b>             | <b>Amount</b> |
|----------------|--------------------------------|---------------|
| • 794          | 201007940009 (current account) | R 1,809.83    |
| • 798          | 201007980005 (current account) | R 27,880.64   |
| • 798          | 900000284054 (handed over)     | R 9,616.22    |
| • 798          | 900000346954 (handed over)     | R 6,726.11    |
| • 798          | 900000433289 (handed over)     | R 8,320.02    |
| • 798          | 900000465886 (handed over)     | R 3,487.37    |
| • 798          | 900000487680 (handed over)     | R 2,070.34    |
| • 798          | 900000509924 (handed over)     | R 4,553.32    |
| • 798          | 900000639564 (handed over)     | R 20,626.83   |
| • 798          | 900000672099 (handed over)     | R 8,069.69    |
| • 798          | 900000697968 (handed over)     | R 3,926.51    |
| • 798          | 900000709708 (handed over)     | R 3,508.23    |
| • 798          | 900000722046 (handed over)     | R 3,749.04    |
| • 798          | 900000734315 (handed over)     | R 3,243.64    |
| • 584          | 201005840006 (current account) | R 6,202.56    |
| • 244          | 201002440009 (current account) | R 10,472.18   |
| • 244          | 900000280531 (handed over)     | R 57,884.38   |
| • 244          | 900000440979 (handed over)     | R 6,754.72    |
| • 244          | 900000465855 (handed over)     | R 2,636.42    |
| • 244          | 900000487570 (handed over)     | R 3,892.70    |

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|   |     |   |          |                   |
|---|-----|---|----------|-------------------|
| • | 244 | 900000514337 (handed over)                    | R        | 3,483.27          |
| • | 244 | 900000538597 (handed over)                    | R        | 7,694.40          |
| • | 244 | 900000576663 (handed over)                    | R        | 4,884.50          |
| • | 244 | 900000603884 (handed over)                    | R        | 6,763.75          |
| • | 244 | 900000615720 (handed over)                    | R        | 7,025.48          |
| • | 244 | 900000637153 (handed over)                    | R        | 8,861.25          |
| • | 244 | 900000645394 (handed over)                    | R        | 4,575.76          |
| • | 244 | 900000680955 (handed over)                    | R        | 5,473.61          |
| • | 244 | 900000704552 (handed over)                    | R        | 4,955.61          |
| • | 244 | 900000730469 (handed over)                    | R        | 4,889.58          |
|   |     | <b>Total (subsequent charges to be added)</b> | <b>R</b> | <b>254,037.96</b> |

**RESPONSIBLE OFFICIALS :**

**A GCOTYELWA  
E HOONEBERG  
A LE ROUX**

**TARGET DATE FOR IMPLEMENTATION :**

**IN PROGRESS**

**TARGET DATE TO INFORM APPLICANT :**

**31 MARCH 2023**

**TARGET DATE TO INFORM OBJECTOR :**

**N/A**

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14.

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**A Le Roux  
31 August 2022**

**Senior Manager: Property Administration**

**(028) 316-5623**

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**THIS MATTER SERVED BEFORE THE INVESTMENT & INFRASTRUCTURE PORTFOLIO COMMITTEE ON 6 FEBRUARY 2023, WHICH COMMITTEE RECOMMENDED AS FOLLOWS:**

**RECOMMENDATION TO THE COUNCIL:**

1. that it **be approved** that the Municipality attends to and bears all the cost relating to the exchange/rectification transfer of Erven 794 and 798 Zwelihle;
2. that it **be approved** that the Municipality attends to and bears all the cost relating to the exchange/rectification transfer of Erven 244 and 584 Zwelihle; and
3. that the writing off of the levies, administrative charges, penalties, etc. on the accounts and handed over accounts up to 19 January 2023 amounting to, plus any subsequent charges up to the date of registration in the Deeds Office, for the following erven, **be approved**:

| <b>Erf nr.</b> | <b>Account nr.</b>             | <b>Amount</b> |
|----------------|--------------------------------|---------------|
| • 794          | 201007940009 (current account) | R 1,809.83    |
| • 798          | 201007980005 (current account) | R 27,880.64   |
| • 798          | 900000284054 (handed over)     | R 9,616.22    |
| • 798          | 900000346954 (handed over)     | R 6,726.11    |
| • 798          | 900000433289 (handed over)     | R 8,320.02    |
| • 798          | 900000465886 (handed over)     | R 3,487.37    |
| • 798          | 900000487680 (handed over)     | R 2,070.34    |
| • 798          | 900000509924 (handed over)     | R 4,553.32    |
| • 798          | 900000639564 (handed over)     | R 20,626.83   |
| • 798          | 900000672099 (handed over)     | R 8,069.69    |
| • 798          | 900000697968 (handed over)     | R 3,926.51    |
| • 798          | 900000709708 (handed over)     | R 3,508.23    |
| • 798          | 900000722046 (handed over)     | R 3,749.04    |
| • 798          | 900000734315 (handed over)     | R 3,243.64    |
| • 584          | 201005840006 (current account) | R 6,202.56    |
| • 244          | 201002440009 (current account) | R 10,472.18   |
| • 244          | 900000280531 (handed over)     | R 57,884.38   |
| • 244          | 900000440979 (handed over)     | R 6,754.72    |
| • 244          | 900000465855 (handed over)     | R 2,636.42    |

**AGENDA of the  
Portfolio Committee : Investment & Infrastructure  
6 February 2023  
(Also the agenda for the Mayoral Committee Meeting : 14 February 2023)**

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|   |     |   |          |                          |
|---|-----|---|----------|--------------------------|
| • | 244 | 900000487570 (handed over)                    | R        | 3,892.70                 |
| • | 244 | 900000514337 (handed over)                    | R        | 3,483.27                 |
| • | 244 | 900000538597 (handed over)                    | R        | 7,694.40                 |
| • | 244 | 900000576663 (handed over)                    | R        | 4,884.50                 |
| • | 244 | 900000603884 (handed over)                    | R        | 6,763.75                 |
| • | 244 | 900000615720 (handed over)                    | R        | 7,025.48                 |
| • | 244 | 900000637153 (handed over)                    | R        | 8,861.25                 |
| • | 244 | 900000645394 (handed over)                    | R        | 4,575.76                 |
| • | 244 | 900000680955 (handed over)                    | R        | 5,473.61                 |
| • | 244 | 900000704552 (handed over)                    | R        | 4,955.61                 |
| • | 244 | 900000730469 (handed over)                    | R        | 4,889.58                 |
|   |     | <b>Total (subsequent charges to be added)</b> | <b>R</b> | <b><u>254,037.96</u></b> |

**RESPONSIBLE OFFICIALS :**

**A GCOTYELWA  
E HOONEBERG  
A LE ROUX**

**TARGET DATE FOR IMPLEMENTATION :**

**IN PROGRESS**

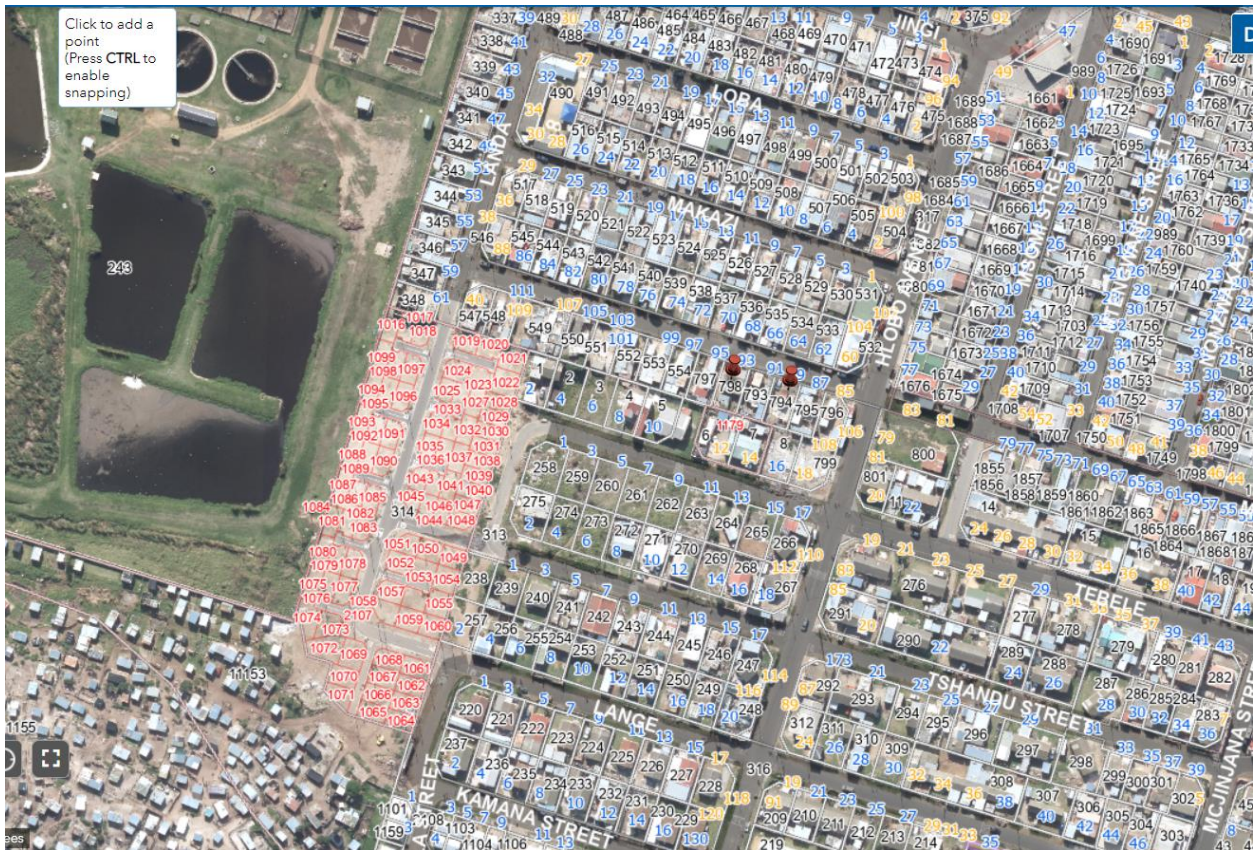
**TARGET DATE TO INFORM APPLICANT :**

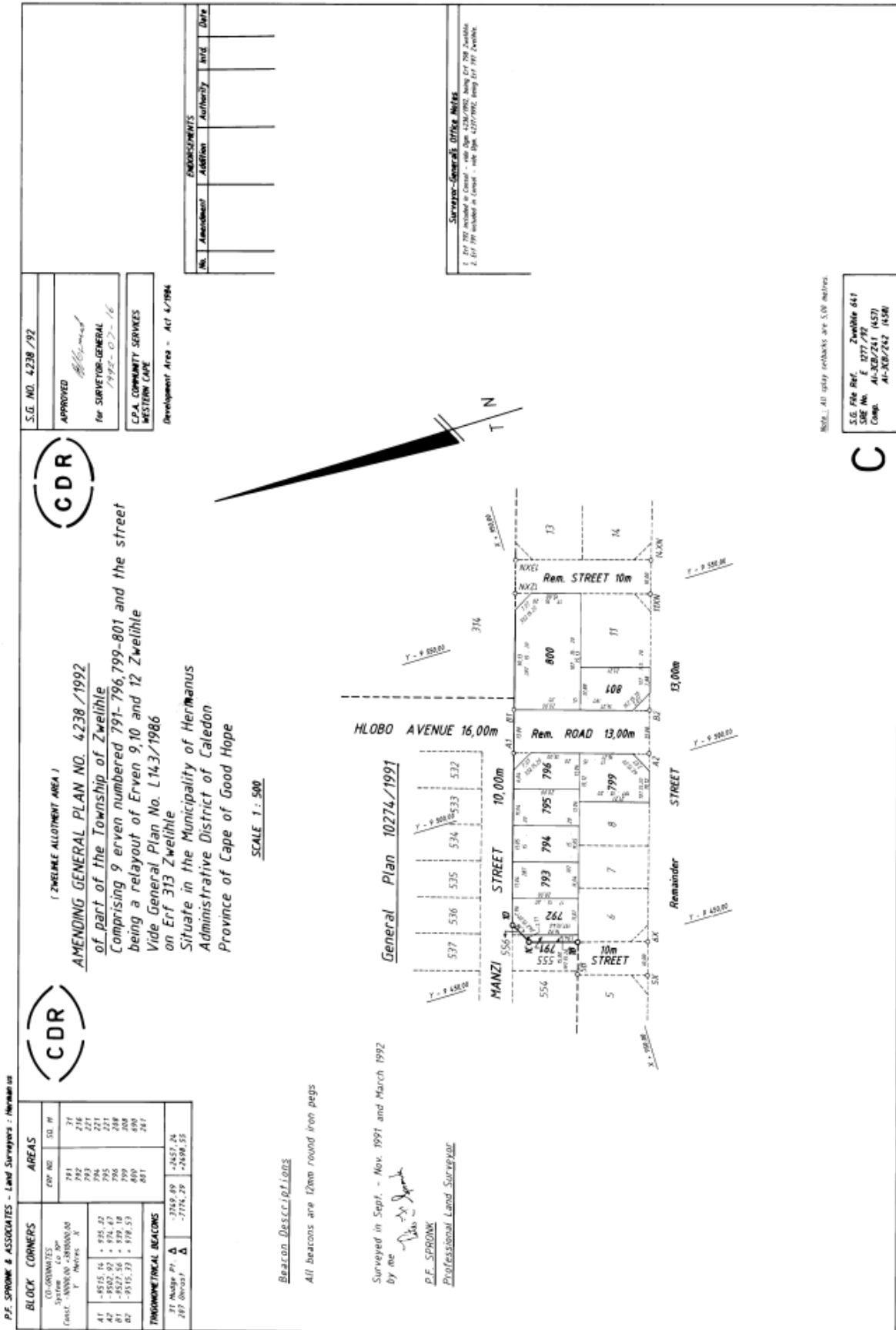
**31 MARCH 2023**

**TARGET DATE TO INFORM OBJECTOR :**

**N/A**

ANNEXURE A





ANNEXURE C

AFFIDAVIT

I, the undersigned, PATRIC Nceba Moss, with Identity Number ,  
[REDACTED]

*VP Moss*  
*[Signature]*

do hereby make oath and say:-

1. That I am the owner of Erf 794 Zwelihle since 1992, which property was allocated and transferred to me by the old Town Council of Zwelihle.
2. That I am in occupation of Erf 798 Zwelihle which I believed was Erf 794 Zwelihle.
3. That I have made improvements on Erf 798 Zwelihle.
4. Then I wish to remain on Erf 798 Zwelihle and therefore request that the situation be rectified.

*VP Moss*  
(NAME)

The Deponent acknowledges that he knows and understands the contents of this Affidavit which was sworn to be signed before me at HERMANUS on this 19<sup>th</sup> day of JULY 2022

*[Signature]*  
COMMISSIONER OF OATHS

*ANJA Le Roux*  
Full Names: 1 MAGNOLIA STREET  
Street Address: HERMANUS 7200  
Designation:

**ANJA LE ROUX**  
COMMISSIONER OF OATHS  
EX OFFICIO  
MANAGER: PROPERTY ADMINISTRATION  
OVERSTRAND MUNICIPALITY

AFFIDAVIT

I, the undersigned, Siphiwe Patrick Malindi, with Identity Number

[REDACTED]

SP *QAR*

do hereby make oath and say:-

1. That I am the owner of Erf 798 Zwelihle since 1992, which property was allocated and transferred to me by the old Town Council of Zwelihle.
2. That I am in occupation of Erf 794 Zwelihle which I believed was Erf 798 Zwelihle.
3. That I have made improvements on Erf 794 Zwelihle.
4. Then I wish to remain on Erf 794 Zwelihle and therefore request that the situation be rectified.

*S.P. Malindi*  
(NAME)

The Deponent acknowledges that he knows and understands the contents of this Affidavit which was sworn to be signed before me at HERMANUS on this 19<sup>th</sup> day of JULY 2022

*Anja Le Roux*  
COMMISSIONER OF OATHS

Full Names:  
Street Address: 1 MAGNOLIA STREET  
Designation: HERMANUS 7200

|  |
|--|
| <p><b>ANJA LE ROUX</b><br/>COMMISSIONER OF OATHS<br/>EX OFFICIO<br/>MANAGER: PROPERTY ADMINISTRATION<br/>OVERSTRAND MUNICIPALITY</p> |
|--|



**AFFIDAVIT**

I, the undersigned, Nkoliseko Kekeni Magalakanqa, with Identity Number [REDACTED]

do hereby make oath and say:-

1. That I am the owner of Erf 584 Zwelihle since 1992, which property was allocated and transferred to me by the old Zwelihle Municipality.
2. That I am in occupation of Erf 244 Zwelihle which I believed was Erf 584 Zwelihle.
3. That I have made improvements on Erf 244 Zwelihle.
4. Then I wish to remain on Erf 244 Zwelihle and therefore request that the situation be rectified.

\_\_\_\_\_  
(NAME)

The Deponent acknowledges that he knows and understands the contents of this Affidavit which was sworn to be signed before me at HERMANUS on this 05th day of August 2022.

\_\_\_\_\_  
COMMISSIONER OF OATHS

Full Names:  
Street Address:  
Designation:

|   |
|---|
| <p>Signed and sworn to before me at HERMANUS this <u>5<sup>th</sup></u> day of <u>August</u> <u>2022</u>, the deponent having acknowledged that:</p> <ul style="list-style-type: none"> <li>• he/she knows and understands the contents of this declaration</li> <li>• he/she has no objection to taking the prescribed oath</li> <li>• he/she considers the prescribed oath to be binding on his/her conscience.</li> </ul> <p>Signature: _____<br/>Name: <u>Y.A. LEMMER</u><br/>COMMISSIONER OF OATHS<br/>EX OFFICIO: <u>CLERK OF THE COURT.</u><br/>ADDITIONAL COURT: <u>OVERSTRAND MUNICIPALITY</u></p> |
|---|



**AFFIDAVIT**

I, the undersigned, Jessie Nontutuzelo September, with Identity Number [REDACTED]

do hereby make oath and say:-

1. That I am the owner of Erf 244 Zwelihle since 1994, which property was allocated and transferred to me by the old Zwelihle Municipality.
2. That I am in occupation of Erf 584 Zwelihle which I believed was Erf 244 Zwelihle.
3. That I have made improvements on Erf 584 Zwelihle.
4. Then I wish to remain on Erf 584 Zwelihle and therefore request that the situation be rectified.

J. N. SEPTEMBER  
(NAME)


The Deponent acknowledges that he knows and understands the contents of this Affidavit which was sworn to be signed before me at HERMANUS on this 05th day of August 2022

\_\_\_\_\_  
COMMISSIONER OF OATHS

Full Names:  
Street Address:  
Designation:

|  |
|--|
| <p>Signed and sworn to before me at HERMANUS this <u>5<sup>th</sup></u> day of <u>August</u> <u>2022</u> the deponent having acknowledged that:</p> <ul style="list-style-type: none"> <li>• <del>he</del>/she knows and understands the contents of this declaration</li> <li>• <del>he</del>/she has no objection to taking the prescribed oath</li> <li>• <del>he</del>/she considers the prescribed oath to be binding on his/her conscience.</li> </ul> <p>Signature: <u>[Signature]</u><br/>Name: <u>J.A. LEHMER</u><br/>COMMISSIONER OF OATHS<br/>EX OFFICIO: <u>CLERK OF THE COURT.</u><br/>ADDITIONAL COURT: <u>OVERSTRAND MUNICIPALITY</u></p> |
|--|

|   |
|---|
| <p>KLERK VAN DIE HOF<br/>PRIVAATSAK/PRIVATE BAG X01<br/><br/>2022 -08- 05<br/><br/>HERMANUS 7200<br/>CLERK OF THE COURT</p> |
|---|

|  |  |   |
|--|--|---|
| <b>GUTHRIE &amp; THERON</b>  |  |    |
| PROKUREURS/ATTORNEYS/AMAGQWETHA<br>AKTEBESORGERES/CONVEYANCERS/NOCANDA |  |   |
| Municipality<br>ZWELIHLE   | email:<br>gutheron@hermanus.co.za        | DXS HERMANUS<br>HOOFWEG 77 MAIN ROAD<br>POSBUS 37 P.O BOX<br>HERMANUS 7200<br>TEL: (0283) 23626/7/8<br>FAX: (0283) 22732              |
|  |  | <b>ANDER KANTORE/<br/>OTHER OFFICES:</b><br>CALEDON<br>GANSBAAI<br>RIVERSONDEREND<br>KLEINMOND<br>GREYTON<br>VILLIERSDORP<br>STANFORD |
| U VERWYSING / YOUR<br>REFERENCE: ZOLEKA                                | ONS VERWYSING / OUR<br>REFERENCE: JPP/ws |   |
| DATUM / DATE: 25 February 1999   |  |   |

**BY HAND**

Sir

*Jessie*

**ERVEN 244 AND 584 ZWELIHLE**

With reference to the above we confirm that we will now proceed attending to the exchange transfers of the above erven between Nkoliseko Magalakanqa and Jessie Nontutuzelo September. All documents will be proceeded with once costs and rates have been paid to enable us to register the aforementioned transfers at the Deeds Office in Cape Town.

Yours faithfully  
GUTHRIE & THERON

Per:   
J P PRETORIUS