

4.5**ERF 6114, 49 SIXTH STREET, VOËLKLIP (HERMANUS), OVERSTRNAD MUNICIPAL AREA : APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITION AND DEPARTURE: MESSRS PLANACTIVE ON BEHALF OF THE ZONDAGH FAMILY TRUST****6114 HVK (3462)****S van der Merwe****19 January 2018****(028) 313 8900****Hermanus Administration****1. EXECUTIVE SUMMARY**

Applications have been received on 7 October 2016 from Messrs PlanActive applicable to Erf 6114, Hermanus (Voëlklip) for the following:

Removal of Restrictive Title Deed Condition

Application in terms of Section 16(2)(f) of the Overstrand Municipality By-Law on Municipal Land Use Planning, 2016 (By-Law) for the removal of restrictive title deed condition D. relating to the distance of buildings and outbuildings from street boundaries, as contained in Title Deed No. T12567/2012 applicable to the above property.

Departure

Application in terms of Section 16(2)(b) of the By-Law to:

- ❖ relax the western side building line from 2m to 0m to accommodate the existing structure (approved garage) that was illegally converted into a studio; and
- ❖ relax the northern street building line from 4m to 0m and
- ❖ the western lateral building line from 2m to 0m to accommodate the illegal pergola.

The Locality Plan is attached as Annexure A, the Motivation Report from the applicant in support of the application is attached as Annexure B and the Site Development Plan is attached as Annexure C. The Title Deed is attached as Annexure J.

2. DECISION AUTHORITY

Municipal Planning Tribunal

3. BACKGROUND / SITE HISTORY

The erf measures 497m² in extent and is located in the residential area of Voëlklip.

During 2015 the Council approved the categorization of applications that must be resolved by the Council, the Municipal Planning Tribunal (Category 1 applications) and the Authorised Official (AO) (Category 2 applications). It was further decided that decision making applicable to Category 2 applications be delegated to the Senior Manager: Town- and Spatial Planning (AO) of the Municipality.

The AO, on 26 July 2017, decided on the application as a whole. The AO however did not have the delegated authority to dispose of the application for the Removal of Restrictive Title Deed Condition since two (2) valid objections were received. The AO however have delegated powers to dispose on the other matters.

An appeal was subsequently lodged by the Municipal Manager of the Municipality in terms of the provisions of Section 78 of the Overstrand By-Law on Municipal Land Use Planning, 2016 in terms of the powers contemplated in Section 51 of the Spatial Planning and Land Use Management Act, 2013 against the resolution made by the AO.

The Appeal Authority, on 19 January 2018 resolved that the appeal be upheld and that the decision by the AO of 26 July 2017 be revoked as a whole, and that the application under discussion be submitted to the Municipal Planning Tribunal for consideration as a whole.

4. SUMMARY OF APPLICANT'S MOTIVATION

Due to the comprehensiveness of the Motivation Report, only the main points of motivation are conveyed as follows (the detailed report is attached as Annexure B):

- currently there is an existing dwelling with a double garage that has been changed into a studio and a pergola. It is the intension to legalise the studio and pergola that is situated within the building lines;
- the Title Deed also contains building lines that needs to be removed;
- the property is zoned Single Residential Zone and is utilised as such, and surrounding properties are also zoned as such;
- the approved double garage of $\pm 54\text{m}^2$ was converted into a studio. In terms of the former Hermanus Scheme Regulations an outbuilding could be accommodated on the lateral building lines provided that it does not have any opening windows or doors on the boundary and it be restricted to single story;
- the double garage that has been changed into a studio consists of a bedroom, bathroom and living area, and is not being rented out for paying guests or long term accommodation;
- a driveway has been created to the east of the studio that can accommodate two (2) vehicles. The studio wall and boundary wall is used as support structures for the pergola. The pergola is $\pm 29\text{m}^2$ and can also be used as on (1) additional parking bay – three (3) parking bays;

- the studio and pergola comply with conditions specified for the encroachment of building lines as specified in the Scheme Regulations;
- the structures encroach the title deed building lines;
- it is not proposed to change the primary land use of the property, and also not to accommodate additional structures;
- all services on the property already exist and no additional services are required;
- the access from Sixth Street will be retained and no new access points are proposed, thus impact on traffic flow in the area will remain unchanged;
- it is only intended to legalize the existing studio with a pergola;
- the proposal is compatible with the existing built character of the area; and
- the departure and removal of restrictive conditions will have no negative impact on the current character and land values of surrounding erven.

The applicant further elaborates on Planning Principles, the Spatial Development Framework (SDF), and the Growth Management Strategy (GMS). It is felt that the latter needs not be conveyed, since it is regarded as not having a significant, if any, relevance to this application – the points can however be viewed in the detailed Motivation Report attached to this submission.

5. ADMINISTRATIVE COMPLIANCE

Methods of advertising		Date published	Closing date for comments
Press	Yes	16/02/2017	31/03/2017
Gazette	Yes	17/02/2017	31/03/2017
Notices	Yes	17/02/2017	31/03/2017
Ward councillor	Yes	17/02/2017	31/03/2017
Total comments	Two (2)		
Total letters of support	None		
Was public participation undertaken in accordance with Section 45-49 of the Proposed Draft By-Law on Municipal Land Use Planning?			Yes
Was the application processed correctly (if no, elaborate below):			Yes
Is the proposal consistent with the principles referred to in chapter 2 of SPLUMA and Chapter VI of LUPA? (can be elaborated further below)			Yes

6. SUMMARY OF COMMENTS FROM ORGANS OF STATE AND/OR MUNICIPAL DEPARTMENTS

Name	Date received	Summary of comments	Recommendation
Operational Services	17/02/2017	No objection.	Positive
Building Department	21/02/2017	Minimal impact. Supported subject to the submission of building plans in compliance with SANS10400.	Positive
Local Heritage	21/02/2017	No comment.	Positive
Electro Technical Services	10/03/2017	In view of the fact that no services will be changed there is no comment on the proposal.	Positive
Telkom	20/03/2017	Annexure H.	Positive
Engineering Services	22/03/2017	Annexure I.	Positive
Fire Services	07/04/2017	No objection provided that a 60 minute fire wall on the boundary section of the studio is provided.	Positive

7. SUMMARY OF COMMENTS RECEIVED DURING PUBLIC PARTICIPATION

Two (2) legal objections were received that can be summarized as follows:

EM van Schalkwyk (Erf 2064 diagonally opposite the road) (Translated from Afrikaans.)

The main points of objection are conveyed as follows:

- ❖ it is strange that the structure under discussion is described as a studio whilst it is actually a dwelling unit with a bedroom and a bathroom;
- ❖ since there is a great difference between a studio and a dwelling unit, it must certainly determine the merit of the application;
- ❖ the aim of a 2m building line on both sides of a boundary is to ensure privacy between neighbours. The encroachment of the building line violates that privacy;

- ❖ objector further does not agree with the statement in Par. 3.5 (motivation) that the violation of the building lines does not impact negatively on the privacy of the neighbours at the western side; and
- ❖ a statement is further made in Par. 3.5 (motivation) that the violation of the building line at the western wall will not be detrimental to the character of the environment. It is already detrimental to the environment since the western wall is in a bad condition and unsightly. It is cracked and there is definitely a water leakage problem and the paint is weathered.

SM Wright (Erf 2053 adjacent to subject property)

The main points of objection are conveyed as follows:

- ❖ since the purchase of the erf by the current owners, certain changes has been made to the property that has been detrimental to her property;
- ❖ the structure was erected as a garage/workshop by the previously landowner. Although on the border of her property, it was not a problem since it was utilised as a garage. One of the bedrooms of her dwelling is directly across from this garage and the bedroom windows face the border;
- ❖ the utilisation of the building as a living area has led to continuous noise even late at night. These neighbours use this space as an entertainment/gathering area for meals and togetherness and chairs and tables are set out outside the door leading into the building now utilised as a flatlet;
- ❖ the walls of the old garage and new carport up to the street border are not maintained. The walls have dampness and other spots that makes it look ugly;
- ❖ the motivation report refers to the building as a studio, and in the Afrikaans notice an “ateljee” which is very confusing as the building is not a studio, but a separate living quarter. In English a “studio” means a workroom where various forms of art (e.g. films, music and art) are done. This is not the case as the converted garage building is used as a living area which contains a bathroom/toilet and a living room;
- ❖ the Motivation Report refers to the newly constructed carport as a pergola. This is also confusing since a pergola is a framework made of wooden posts and bars around which plants can be trained to grow in a garden. It should also be noted that the flatlet’s warm water geyser is attached to the wall at the carport side;
- ❖ the Motivation Report does not point out why no plans were submitted to the Municipality for approval before the reconstruction of the garage changing to the flatlet and garage;
- ❖ the Motivation Report does not state why the approvals of the owners of neighbouring properties were not requested before the construction changes; and
- ❖ objector strongly disagrees with paragraphs 3.5 and 3.6 (motivation) that the changed structure and building line departures will not negatively impact on surrounding erven.

8. SUMMARY OF APPLICANT'S REPLY TO COMMENTS

EM van Schalkwyk (Erf 2064)

- ❖ the double garage that was changed into a studio consists of a bedroom, bathroom and living room. There is no kitchen facility within the studio;
- ❖ with reference to the definition of a dwelling house it is clear that the studio does not qualify as a dwelling house, but rather as a studio due to the fact that the studio has no kitchen facilities and is not designed to accommodate a single family;
- ❖ there are no windows or doors on the western wall of the studio that will impact the privacy of the adjoining landowner. It should be noted that the objector's property is situated across the road and the studio does not impact on them from a privacy point of view; and
- ❖ a building plan was approved to accommodate a double garage that was later changed into a studio. If the land use of the double garage remains, the impact of the western wall of the studio on the neighbour would have been the same and would have no relevance to the application that constitutes a land use change of an existing building.

SM Wright (Erf 2053)

- ❖ the objector mentions that the building was previously constructed as a double garage and workshop and that they had no objection against the use. The objector however objects for the use of the building as a studio. Noise is the major concern for the objector when the landowners make use of a portion of the studio as an entertainment area and also having furniture outside. The property is not permanently occupied and is a holiday home. During the summer holiday seasons when the property is occupied by the landowners, they tend to make use of the outside space to entertain as most of the holiday makers in Voëklip do;
- ❖ if the studio was used as a garage and workshop, the owners would have still made use of the outside space to entertain, the same way they do now. The studio has a minimal impact on the neighbour. The studio is not a flatlet as it has no kitchen facilities and it is also not rented out as a flatlet;
- ❖ the dampness of the wall has no relevance to the land use change of the building and should not be taken into account when evaluating the application. The owners will however address the matter to ascertain how it could be remedied;
- ❖ the studio does not qualify as an additional dwelling, and therefore only one (1) dwelling unit, being the double story dwelling, is located on the erf. The studio and parking bay under the pergola is also not being rented out as a flatlet as previously stated;
- ❖ the pergola consists of wooden slats suspended between the boundary wall and outer wall of the studio;
- ❖ the fact that the geyser is mounted against the wall does not change the pergola to any other type of structure and remains a pergola; and

- ❖ according to our knowledge no fixtures such as sun shades, parasols, etc. does not require building plan approvals. During the 2016/2017 Christmas holiday, Hermanus experienced extremely hot weather and the owner was obliged to put up a shade net for their protection against the sun in order to enjoy the outdoor space.

9. MUNICIPAL ASSESSMENT OF COMMENTS

The points of objection are noted, as well as the comment of the applicant thereon. In order to avoid duplication, the assessment of the objections should be read in unison with the desirability of the application as set out further in this submission.

All the internal departments' comments have been positive.

10. MUNICIPAL PLANNING EVALUATION (REFER TO RELEVANT CONSIDERATIONS GUIDELINE)

10.1 Background

N/A

10.2 (In)consistency with the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)

The application in general is in line with the planning objectives, the objectives relating to:

Spatial Justice

The application property is situated within an existing residential area. The proposal will not further perpetuate past spatial imbalances.

Spatial sustainability

The property is located within the urban edge and thus will not lead to urban sprawl. No natural habitat is impacted upon and will have not any negative influence on the environment.

Efficiency

The property optimizes the use of property in terms of municipal services and infrastructure.

Spatial Resilience

The application will ensure that the existing resource (land) is used to its maximum in an affordable manner and in line with the Overstrand Municipality's forward planning documents.

Good administration

The application followed the required planning procedures and the public process has been followed.

10.3 (In)consistency with the principles referred to in Chapter VI of the Land Use Planning Act, 2014 (Act 3 of 2014)

Same.

10.4 (In)consistency with the IDP/Various levels of SDF's/Applicable Policies

Consistent with the Zoning Scheme and Spatial Development Framework.

10.5 (In)consistency with guidelines prepared by the Provincial Minister

N/A

10.6 Impact on Municipal engineering services

The existing services are available and have been viewed positively by the Engineering Department.

10.7 Outcomes of investigations/applications i.t.o other legislation

N/A

10.8 Existing and proposed zoning comparisons and considerations

The application is in line with the Overstrand Spatial documents.

10.9 Additional Planning Motivation For Removal of Restrictive Condition

Due to the nature of the street building line encroachment, being an open pergola, the aspects regarding financial or other value of rights; personal benefits; social benefit of the restrictive condition remaining in place and/or being removed; and the removal of all rights enjoyed by the beneficiary or only some of those rights, are not regarded as significant in this case, thus not having any mentionable impacts.

10.10 THE DESIRABILITY OF THE PROPOSAL**Background**

- ❖ From building records it could be determined that structural additions were approved on the property as far back as 1981. The latter plan indicates the structure under consideration as an existing combined store room/carport at the time. No plans prior to 1981 could be traced.

- ❖ During 1991 plans were approved for alterations to what was indicated as an “existing garage” on the building plans submitted. Alterations mainly consisted of a new garage door and the construction of a small store room within the garage. It is thus evident that the illegal conversion of the combined store room/carport occurred between 1981 and 1991.
- ❖ The property was sold to the current landowners during 2012. It can thus be assumed that the current landowners were responsible for the conversion of the garage into the current usage thereof since no change of ownership occurred since the purchase date up to the date of submitting the application under discussion [see Google Maps extract of September 2013 (attached as Annexure G)].
- ❖ No approved building plans exist for the pergola.

Notwithstanding the above, the points of objection and the applicant's points of comment thereon, a critical point that was raised in the objections is the fact that the applicant does not elaborate on the specific type of studio that the structure is being utilised for. The applicant in fact makes a statement in its comment on this point of objection that during the festive seasons the structure is partially utilised as an entertainment area. It is thus in contradiction for what is actually being applied, being a studio only.

Refer to the layout plans: A further point of objection refers to the structure being a liveable area (“flatlet”) that contains a bedroom, living room and bathroom. The latter point is supported from a planning point of view since the structure can indeed be regarded as a liveable area/structure (whether it contains a kitchen or not), and liveable areas/structures directly along erf boundaries are regarded as being undesirable from a town planning perspective and is under normal circumstances not supported. The inside layout of the structure as indicated on the layout plans submitted with the application further strengthens this point of view. Further, a full blown kitchen does not have to be fitted within the structure to make it habitable, because in these modern times people tend to make use of more modern types of electrical equipment (microwaves, dishwashers, kettles, etc.) in order to turn a structure like this into a liveable entity.

In addition to the above it should be noted that in terms of the definition of a second dwelling unit as set out in the Zoning Scheme, outbuildings that are utilized for accommodation purposes shall be considered a second dwelling unit for the purposes of the scheme.

Although dwelling units are primary land uses on single residential properties, the position thereof within building lines are undesirable and not supported.

It is thus the opinion that the structure does not qualify as an outbuilding *per se*. The motivation and the comments of the applicant on the objections can therefore not be supported, as the applicable points of the objectors carry enough substantial weight not to support the application, further making the application undesirable. The illegal conversion of the double garage into a “liveable” structure should therefore not be condoned and the landowners should convert the structure back to a garage as per the dimensions of the building plan approved on 21/02/1991 (attached as Annexure F).

The pergola on the other hand is neatly built and regarded as aesthetically pleasing. It is further the opinion that the encroachment thereof up to the western lateral boundary and street boundary has a minimal, if any, impact on the surrounding property owners, street views, views of vehicle drivers and the existing built environment. Further, no direct access from the street is gained to the pergola that is also used as a parking area. In addition it must also be taken into consideration that the structure is open on the sides and is not covered. Building plans must however be submitted for approval and the pergola must conform to the requirements set out in the Zoning Scheme. In the latter regard the removal of the restrictive title deed condition and subsequent building line relaxations for the pergola can be supported.

11. RECOMMENDATION

1. that the objections be noted;
2. that the application in terms of Section 16(2)(b) of the Overstrand Municipal By-Law on Municipal Land Use Planning, 2016 (By-Law), applicable to Erf 6114, Hermanus (Voëlklip) in order to relax the western lateral building line from 2m to 0m to accommodate the existing structure (approved garage) that was converted into a studio; **be refused** in terms of the provisions of Section 61 of the By-Law;
3. that the application in terms of Section 16(2)(f) of the By-Law in order to remove condition D. relating to the distance of buildings and outbuildings from street boundaries as contained in Title Deed No. T.12567/2012 applicable to Erf 6114, Hermanus (Voëlklip) to accommodate the existing pergola, **be approved** in terms of the provisions of Section 61 of the By-Law;
4. that the application in terms of Section 16(2)(b) of the By-Law, applicable to the above property, in order to relax the northern street building line from 4m to 0m and the western lateral building line from 2m to 0m, to accommodate the existing pergola, **be approved** in terms of the provisions of Section 61 of the By-Law;

5. that the landowners convert the structure, applied for as a studio, back to a garage with the dimensions as per the approved building plan of 21/02/1991 (attached as Annexure F);
6. that the decisions in 4. and 5. above be subject to the following conditions:
 - (a) that building plans be submitted to the Building Department for approval regarding the decisions in Paragraphs 4. and 5. above within sixty (60) days of the final decision of the application, and that all conditions of the Building – and Fire Department be complied with at that stage;
 - (b) that the conversion of the structure referred to in Paragraph 5 above, be done within sixty (60) days of the final approval of the building plans as referred to above;
 - (c) that all other applicable development parameters as prescribed in the relevant Zoning Scheme, be complied with;
 - (d) that this approval does not absolve the applicant from compliance with any other relevant legislation;
 - (e) that the conditions of Telkom (attached as Annexure H), be complied with, and
 - (f) that the conditions in the Services Report (attached as Annexure I), be complied with.
7. that the applicant and the objectors be notified of their respective rights of appeal in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning, 2016 with regard to the above decisions.

12. REASONS FOR RECOMMENDATION

1. Refusal of the application in Paragraph 2 of the decision.
 - ❖ The objections that were received are substantial and fair, and thus supported.
 - ❖ Liveable areas on common boundaries are not desirable from a town planning point of view.
2. Approval of the applications in Paragraphs 3 and 4 of the decision.
 - ❖ The application has followed due procedure.
 - ❖ None of the internal departments have any objection.
 - ❖ The application is desirable from a town planning point of view.

13. ANNEXURES

- Annexure A: Locality Plan
- Annexure B: Layout Plans
- Annexure C: Motivation Report
- Annexure D: Objections
- Annexure E: Comment on objections
- Annexure F: Approved building plan dated 21/02/1991
- Annexure G: Google Maps Extract
- Annexure H: Telkom
- Annexure I: Engineering Services
- Annexure J: Title Deed No. T12567/2012

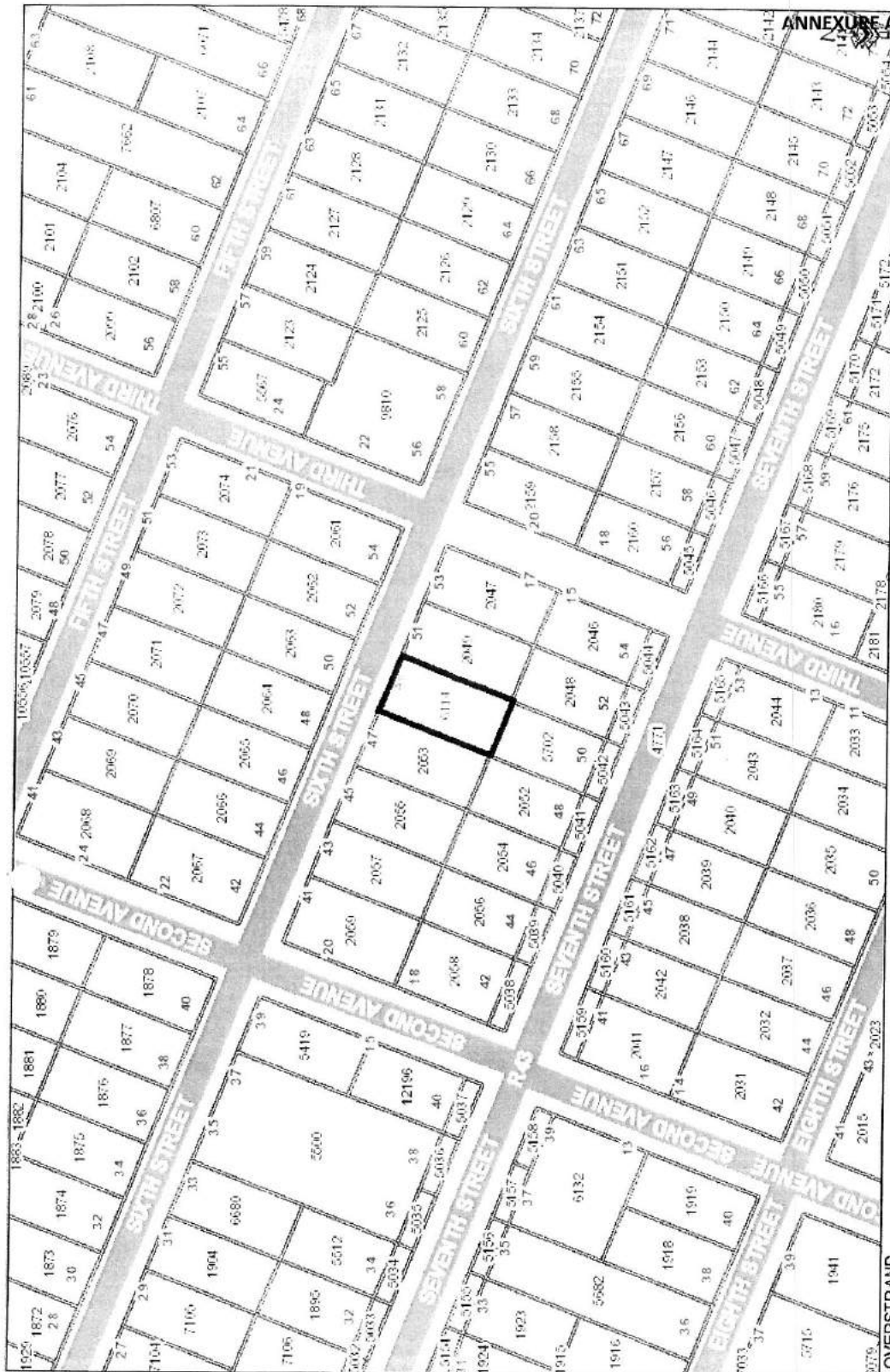
SIGNATURES**REGISTERED PLANNER:**

Name : **S VAN DER MERWE**

SACPLAN registration number: **A/1850/2014**

Signature : _____

Date: _____



ANNEXURE A 1/1

Erf 6114, Voelklip, Hermanus

Date: 2017-02-10



**PROPOSED DEPARTURE
AND REMOVAL OF A RESTRICTIVE TITLE
DEED CONDITION**

ERF 6114 HERMANUS

DIVISION: CALEDON
OVERSTRAND MUNICIPALITY

MOTIVATION REPORT

1. BACKGROUND

The Zondagh Family Trust, owner of erf 6114 Hermanus, has instructed the company Plan Active to apply for the departure from the building lines and removal of a restrictive Title Deed condition applicable to erf 6114 Hermanus.

Erf 6114 Hermanus is 497m² in extent and is held by Title Deed No. T12567/2012.

Currently there is an existing dwelling with a double garage that has been changed into a studio with a pergola situated on the subject property. It is the intention of the owner of Erf 6114 Hermanus to legalize the existing studio and pergola that are situated within the prescribed building lines. The Title Deed also contains restrictive building lines that must be address.

This application proposes to address the encroachment of the existing studio that was previously used as a garage situated on the western boundary and a pergola attached to the studio that was constructed within the northern street building line as specified in the Overstrand Zoning Scheme Regulations and the mentioned Title Deed.

2. APPLICATION DETAILS

Application is made in terms of:

- Chapter 4, Section 16(2)(b) of the Overstrand Municipality's By-law on Municipal Land Use Planning, 2016, for the departure of erf 6114 Hermanus;
- Chapter 4, Section 16(2)(f) of the Overstrand Municipality's By-law on Municipal Land Use Planning, 2016, for the removal of a restrictive Title Deed conditions applicable to erf 6114 Hermanus;

3. GENERAL APPLICATION INFORMATION

3.1 PROPERTY DESCRIPTION

Erf 6114 Hermanus is situated at 49, 6th Street Voëlklip, Hermanus. Please refer to the enclosed locality map. Erf 6114 Hermanus is 497m² in extent and situated in a predominant residential environment.

3.2 ZONING

The subject property is zoned Residential Zone I: Single Residential and is utilized as such.

Surrounding properties are zoned for Residential Zone I: Single Residential purposes.

3.3 LAND USE

There is an existing double storey dwelling with a double garage that has been converted into a studio with a pergola situated on within the street building line between the studio and street boundary wall. The subject property is used for single residential purposes only.

Land uses that surround erf 6114 Hermanus are dwellings and public roads.

3.4 PROPOSED DEVELOPMENT

- The departure of erf 6114 Hermanus in terms of Chapter 4, Section 16(2)(b) of the Overstrand Municipality's By-law on Municipal Land Use Planning, 2016, to:
 - relax the northern street building line from 4m to 0m to accommodate the existing pergola attached to the studio;
 - relax the western side building line from 2m to 0m to accommodate the existing garage that has been changed into a studio on Erf 6114 Hermanus.
- Chapter 4, Section 16(2)(f) of the Overstrand Municipality's By-law on Municipal Land Use Planning, 2016, for the removal of restrictive Title Deed conditions applicable to erf 6114 Hermanus.

There is an existing double storey dwelling with a double garage that has been changed into a studio with a pergola situated between the studio and street boundary wall. The existing garage was converted into a studio and the pergola was constructed. The alterations and additions do not reflect on the approved building plans. The owner wants to rectify this matter by submitting building plans for the alterations and addition of a pergola. The building plans however can only be submitted once an approval is obtained for the encroachment of the building lines in terms of Chapter 4, Sections 16(2)(b) and 16(2)(f) of the Overstrand Municipality's By-law on Municipal Land Use Planning.

This application therefore intends to legalize the existing change of land use of the garage and the construction of the pergola.

3.4.1 PROPOSED DEPARTURE FROM THE BUILDING LINES

The existing approved double garage of $\pm 54\text{m}^2$ was converted into a studio. In terms of the old Hermanus Scheme Regulations an outbuilding could be accommodated on the lateral boundary if it complied with certain parameters such as not to have any opening windows or doors on the relevant boundary and that it may not exceed the height of 1 storey. The double garage has been changed into a studio that consists of a bedroom, bathroom and living area. The studio is not being rented out for paying guests or for long term accommodation purposes. It is solely being used by the owners of Erf 6114 Hermanus. After the change in land use no windows or doors were fitted in the wall situated on the western boundary.

A drive way and parking area has been created to the east of the studio that can accommodate 2 vehicles.

Due to the change of use of the existing double garage to a studio it is required that the western side building line be relaxed from 2m to 0m.

A pergola was constructed between the studio and the street boundary wall of which the studio wall and boundary wall was used as support structures of the pergola. The pergola is $\pm 29\text{m}^2$ in extent and can also be used as 1 additional parking bay. The Overstrand Scheme Regulations stipulate that a 4m street building line and a 2m lateral building line applies to Residential Zone 1: Single Residential properties larger than 400m^2 in extent. As previously mentioned the existing pergola encroach the western lateral building line and the street building line. It is therefore required that that western lateral building line be relaxed from 2m to 0m and the street boundary from 4m to 0m in order to accommodate the existing pergola.

The existing studio and pergola complies with conditions specified for the encroachment of building lines as specified in the scheme regulations.

Please refer to the enclosed site development plan.

3.4.2 PROPOSED REMOVAL OF THE TITLE DEED RESTRICTIONS

The title deed of erf 6114 Hermanus has restrictive title deed conditions that need to be addressed and no bond is registered over the subject property. The restrictive Title Deed condition is in Title Deed Nr. T12567/2012, Page 3 Paragraph D. that read as follows:

D. **SUBJECT FURTHER** to the conditions of sale imposed by the Mossel River Estate Company Limited in Deed of Transfer No. 1129/1935 and contained therein, reading as follows :-

- (iv) The Company reserves to itself the sole right to all water arising on or flowing over the company's property. There shall however be excluded from this reservation any water obtained by the owner of any land within the township by means of wells or boreholes sunk on such land.

and Nos (i) and (ii) in connection with acts and local rules and regulations and with in roads, drainage, culverts and the distance buildings and outbuildings must be from any roads and avenue.

Number (iii) referred to in connection with acts refers to building lines prescribed in Title Deed T1129/1935 of which we have enclosed a copy of. Please refer to page 2, paragraph 1. (d) iii. That reads as follows:

"That all building shall stand back at least ten feet from the line of the street or avenue on which the Lot or Lots hereinmentioned may front, that all outbuildings shall stand back at least thirty feet from any street or twenty feet from any avenue on which the Lot or Lots hereinmentioned may front."

In the following paragraphs of the said Title Deed, Paragraphs 2 to 113 references is made to the following:

"subject to and / or entitled to the benefit and conditions set out under paragraph 1 hereof."

Pl n Town and Regional Planners
 Stellenbosch Municipal Planners
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Motivation report

Paragraph 9 is applicable to a certain pieces of land being Lots 60 to 73 in Blocks of which Erf 6114 Hermanus is Lot Nr.71. Subsequently the restriction quoted above referring to street building lines in respect of building and outbuildings is applicable to Lot 71 (Erf 6114 Hermanus).

The above mentioned building lines restrictions as defined in the Title Deed can be tabled as follow:

All Buildings	Street or Avenue	3.15m (10 Feet)
Outbuildings	Street	9.45m (30 Feet)
Outbuildings	Avenue	6.30m (20 Feet)

The existing pergola and studio encroach the applicable building lines as depicted on the site plan that is 3.15m and 9.45m. We are therefore applying for the removal of the following Title Deed restriction applicable to Erf 6114 Hermanus, specifically where reference is made to (i) and (iii) below:

D. **SUBJECT FURTHER** to the conditions of sale imposed by the Mossel River Estate Company Limited in Deed of Transfer No. 1129/1935 and contained therein, reading as follows :-

- (iv) The Company reserves to itself the sole right to all water arising on or flowing over the company's property. There shall however be excluded from this reservation any water obtained by the owner of any land within the township by means of wells or boreholes sunk on such land.

and Nos (i) and (iii) in connection with acts and local rules and regulations and within roads, drainage, culverts and the distance buildings and outbuildings must be from any roads and avenue.

pl n Town and Regional Planners
Madsen Streetscapeplanners
ctive

3.5 CHARACTER OF THE ENVIRONMENT

It is not proposed to change the primary land use of the subject property. The impact on the character of the area will therefore remain unchanged. Furthermore the proposed encroachment of the building lines are not to accommodate additional structures and therefore the encroachment of the applicable building lines will not have a negative impact on the privacy of neighbours.

3.6 POTENTIAL OF THE PROPERTY (DESIRABILITY OF THE PROPOSED UTILIZATION)

The subject property's zoning and land use will remain unchanged. The location of the subject property within a single residential area allows the property to be developed (in future) for low impact land uses only such as a Bed-and-Breakfast, guesthouse, home occupation, etc. The proposed departure from the prescribed building lines will not handicap any future land use applications on erf 6114 Hermanus.

Since the primary land use and zoning will remain unchanged the impact on the surrounding properties will be kept to a minimum. Property values of surrounding erven will therefore not be negatively affected by the proposed application.

3.7 IMPACT ON EXTERNAL ENGINEERING SERVICES

3.7.1 PROVISION OF SERVICES

All services on the subject property already exist. Additional services are not required and therefore the proposal will not have a negative impact on existing services that are provided by the Overstrand Municipality.

pl n Town and Regional Planners
Stads- en Streeklaplanneers
ctive

Motivation report

3.7.2 TRAFFIC IMPACT, PARKING AND ACCESS

The existing access to erf 6114 Hermanus is from 6th Street and will be retained. No new access points are proposed. Please refer to the site development plan attached.

Provision is made for 3 parking bays on site and visitors will also be able to park between the parking bays and the existing gate as indicated on the site development plan.

The subject property will still be used for single residential purposes only and therefore the impact on the traffic flow in the area will remain unchanged.

3.8 OTHER RELEVANT LEGISLATION FOR CONSIDERATION OF THE APPLICATION

3.8.1 HERITAGE VALUE

Erf 6114 Hermanus is not situated within the Heritage Overlay Zone as determined by the Overstrand Heritage Report (2009). The subject property is also not earmarked for heritage conservation purposes.

The subject property is not associated with any important persons or groups or important events and activities. The subject property has no association with the history of slavery and is not used for living heritage.

In the light of the above mentioned it is evident that the proposed departure and removal of restrictive Title Deed conditions will not have a negative impact on the heritage value of the Hermanus area.

3.8.2 IMPACT ON THE BIOPHYSICAL ENVIRONMENT

The proposed departure and removal of restrictive Title Deed conditions do not trigger any listed activities in terms of the National Environmental Management Act (NEMA), 1998 (Act no. 107 of 1998).

3.9 FORWARD PLANNING AND LAND USE DOCUMENTS

The *Overstrand Spatial Development Framework (2006)* earmarks the area where erf 6114 Hermanus is situated, for residential purposes.

The zoning of the subject property will remain unchanged (Residential Zone I: Single Residential) and therefore the proposed application falls within the existing planning for the Hermanus area.

The *Overstrand Municipal Growth Management Strategy (OMGMS, 2010)* specifies that erf 6114 Hermanus forms part of Planning Unit no. 7. This application does however not propose to create any additional portions, nor does it propose the construction of an additional dwelling unit on the subject property. The density will therefore remain unchanged.

From the above it is evident that the proposed departure and removal of restrictive Title Deed conditions are in line with the spatial planning policies for the Hermanus area and consequently falls within the existing planning for the Hermanus area.

3.10 PLANNING PRINCIPLES

The planning principles of spatial justice, spatial sustainability, efficiency and spatial resilience do not apply to this application.

PL n Town and Regional Planners
Stadsen Streetscape Planners
ctive

Motivation report

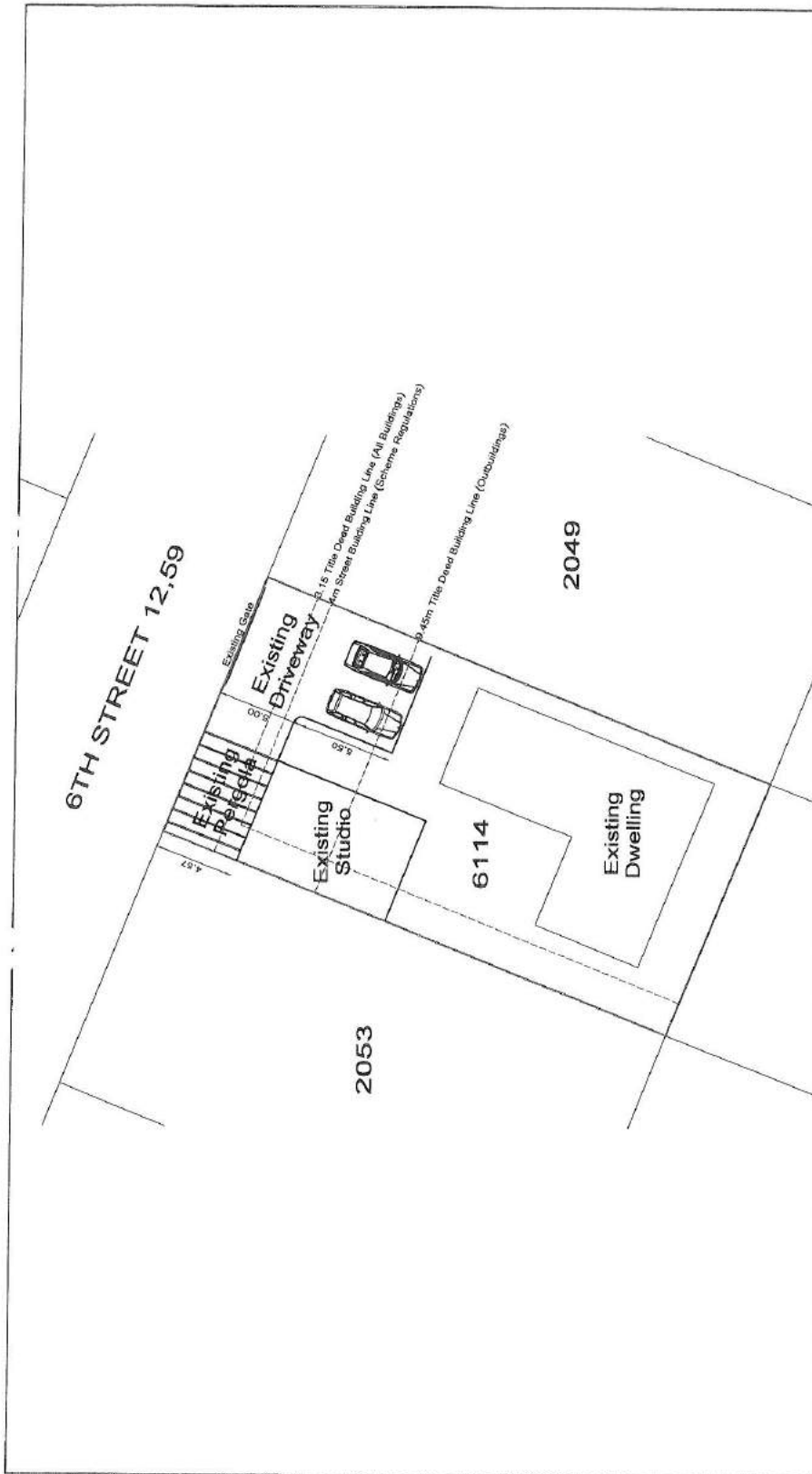
Our firm is committed to the principle of good administration and will cooperate with the Overstrand Municipality to ensure a time efficient, uncomplicated land use planning process.

4. RECOMMENDATION

When this application is evaluated it is important to take note of the following:

- All services on the subject property already exist and no additional services are required;
- The access point will remain unchanged and will have no impact on traffic;
- It is only intended to legalize the existing studio with a pergola;
- The proposal is compatible with the existing built character of the area;
- The proposed departure and the removal of restrictive Title Deed conditions will not have a negative impact on the current character and land values of the surrounding erven.

With regards to the above mentioned it would be appreciated if Council would approve the departure from the stated building lines applicable to Erf 6114 Hermanus and the removal of the restrictive Title Deed conditions.



PLAN Active Stads- en Streeksbeplanners Town & Regional Planners	All distances approximate and subject to survey.	Property Description: ERF 6114 HERMANUS	Plan Description: SITE PLAN	Scale: 1:300 Drawing No: Herf6114.drw Date: 03/2016
	COPY RIGHT RESERVED			

06 MAART 2017

POSBUS 6161
MEYERSDAL
1447
ALBERTON

Die Munisipale Bestuurder
Overstrand Munisipaliteit
POSBUS 20
HERMANUS
7200



TP-A Theer
CH Boshoff

Vir aandag: Mnr H Boshoff

Geagte Mnr Boshoff

AANSOEK OM OPHEFFING VAN TITELBEPERKINGE EN AFWYKING VAN ERF 6114, HERMANUS

Ek verwys na u brief gedateer 13 Februarie 2017 met Verwysingsnommer PA16012.

Ek is die eienaar van Erf 2064 Hermanus, en het die dokument aangaande bogenoemde aansoek ontvang.

Ek maak beswaar teen die opheffing van titelbeperkings en afwyking van Erf 6114.

Eerstens is dit vir my vreemd dat die gebou ter sprake as 'n *studio* beskryf word terwyl dit eintlik 'n wooneenheid met 'n slaapkamer en badkamer is.

Aangesien daar 'n baie groot verskil is tussen die gebruik van 'n *studio* en 'n wooneenheid, moet dit tog sekerlik die meriete van die aansoek bepaal.

Die doel van 'n boulyn van 2 meter weerskante van 'n grens is tog sekerlik om privaatheid tussen aangrensende bure te verseker. Oortreding van die boulyn skend mos daardie privaatheid.

Ek stem dus nie saam met die bewering in Par 3.5 dat die oortreding van die boulyn nie die bure aan die Westekant se privaatheid negatief sal beïnvloed nie.

Tweedens, word daar in Par 3.5 die stelling gemaak dat die oortreding van die boulyn van die Westemuur nie afbreuk sal doen aan die karakter van die omgewing nie. Ek moet u egter daarop wys dat daar reeds afbreuk gedoen word aan die omgewing aangesien die Westemuur in 'n baie swak toestand en onooglik is. Dit is gebars, daar is beslis 'n waterlekkasieprobleem en die verf is verweer.

Die uwe

Mev E. M van Schalkwyk

Tel 011 867 5326
Sel 083 259 7641

FILE NO:	EL 6114 Her
SCAN NO:	
COLLABORATOR NO:	1001222

7 MAR 2017

HERMANUS PROPERTY ERF 6114

OBJECTION TO APPLICATION FOR REMOVAL OF TITLE DEED RESTRICTIONS AND DEPARTURE OF
ERF 6114 HERMANUS

Objection submitted to:

THE MUNICIPAL MANAGER

OVERSTRAND MUNICIPALITY, HERMANUS.

OBJECTION OF

Mrs SM Wright

PO Box 20368

BIG BAY

7448

OWNER OF ERF 2053 HERMANUS

OBJECTION S M WRIGHT

1 BACKGROUND

Since the purchase of erf 6114 by its current owners, certain changes have been made to that property which have a negative impact on my property, erf 2053, with street address: 47 6th Street, Voëlkop, Hermanus.

The separate building on the property, erected directly on the border of my property by a previous owner, was a garage/workshop. Although on the border of my property adjacent to erf 6114, this was not a problem as it was utilised as a garage. One of the bedrooms of my property is directly across from this garage and the bedroom windows face the border. The utilisation of the current owners of this building as a living area has led to continuous noise even up to late at night. These neighbours use this space as an entertainment/gathering area for meals and togetherness and chairs and tables are set out, outside the door leading into the building now utilised as a flatlet.

The walls of the old garage and the new carport, up to the street border, which are on the border line with my property, are not maintained. The walls have what appears to be dampness and other spots which really make it look ugly. These walls do not appear to be painted or properly maintained by the current owner.

We requested a municipal building inspector to provide us with information regarding plans we had to build a balcony attached to our current home on our erven. The inspector informed us that in no way could we build beyond the building line border. When the inspector noticed the property on erf 6114 we were informed that this was highly illegal.

2 OBJECTIONS

My objections can be summarised as follows:

- 2.1 The separate living area/building of erf 6114 is directly on the erf border and not the 2 meter building line away from the border as required. Leads to noisiness and impact on peace in children's bedroom especially at sleeping time at night.
- 2.2 Lack of maintenance of the building's wall directly on the border to my residence and the consequential unsightliness.
- 2.3 The current zoning of erf 6114 is "single residential". I am not quite sure what this zoning may include but it appears that more than one family uses the property, which now consists of two housing units, on erf 6114. This could also lead to problems in future with the possible letting out of the flatlet and carport on the border of the property.
- 2.4 Negative impact of above on the value of my property and adjacent properties.

3 MOTIVATION REPORT

The motivation report submitted to the Municipality has certain shortcomings which I would like to point out.

- 3.1 The Motivation Report refers to presently existing second building as a "studio" and in the Municipal Notice in Afrikaans as an "ateljee". This is very confusing as the building is not a

S M Wright

- studio ("ateljee") but a separate living quarter. In English a "studio" means a workroom where various forms of art (eg films, music and art) are done. This is not the case as the converted garage building is used as a living area which contains a bathroom/toilet, bedroom and a living room.
- 3.2 The Motivation Report also refers to the newly constructed carport as a "pergola". This is also very confusing as a "pergola" is a framework made of wooden posts and bars around which plants can be trained to grow in a garden. It should also be noted that the flatlet's warm water geyser is attached to the wall at the carport side.
- 3.3 The Motivation Report does not point out why no plans were submitted to the Municipality for approval before the reconstruction of the garage changing to the flatlet and carport.
- 3.4 The Motivation Report also does not state why the approval of the owners of neighbouring properties were not requested before the construction changes.
- 3.5 I strongly disagree with paragraph's 3.5 and 3.6 that the changed structure and departure from prescribed building lines will not negatively impact on surrounding erven.

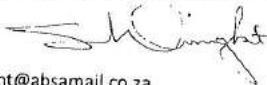
4. CONCLUSION

In my opinion the changes to the property concerned do not comply with the Municipal Land Use conditions and title deed restrictions. These restrictions have been put in place to ensure, amongst other reasons, that neighbours do not negatively impact other property owners and it is therefore important that we all comply with this.

It should also be noted that, during the 2016/17 Christmas holiday season, the area between the flatlet and the original residence was covered by a shade net which was attached to the walls of the two buildings and reached up to the border of my property. I doubt whether this complies with municipal regulations.

Should the municipal regulations and title deed restrictions not be complied with, the non-compliance sections of the properties should be removed.

Mrs SM Wright



E-mail: susan.wright@absamail.co.za

Tel: 021 556 7069

Tel Hermanus: 028 314 0454

Mobile: 083 309 4271

Date: 10 March 2017

PLAN Town & Regional Planners
Stads-en Streeksbeplanners
Active

6 Magnolia St / Str
PO Box / Posbus 296
HERMANUS
7200

Tel: (028) 313 1673
Fax / Faks: (028) 312 1351

Email: planactive@hermanus.co.za

Website: www.planactive.co.za



12 April 2017

Our reference: PA16012

The Municipal Manager
Overstrand Municipality
PO Box 20
HERMANUS
7200

For attention: Mr. Petrus Roux

Sir,

FILE NO:	ER 6114-Hermanus
SCAN NO:	14
COLLABORATOR NO:	1015956

TP-A Theart
(P Roux)

**COMMENTS ON OBJECTIONS: PROPOSED DEPARTURE AND REMOVAL OF RESTRICTIVE
TITLE DEED CONDITIONS: ERF 6114 HERMANUS:**

Your letter dated 5 April 2017 with the objections from E.M. van Schalkwyk and S.M. Wright refers.
Our comments on the objections can be summarised as follow:

E.M. van Schalkwyk (Erf 2064 Hermanus)

- A studio has a number of definitions such as a room used for recording purposes, art studio where an artist performs his art or an open plan unit consisting of a bedroom, bathroom, living room and could also include a small kitchenette. The double garage that was changed into a studio consists of a bedroom, bathroom and living room. There is no kitchen facility within this studio.

The definition of a dwelling house reads as follow:

"dwelling house" means a self contained inter-leading group of rooms, used for the accommodation and housing of one family, together with adequate sanitary facilities and kitchen, and such outbuildings as are ordinarily used therewith, provided further that a dwelling house may not have more than two kitchens;

With reference to the above definition of a dwelling house it is clear that the mentioned studio does not qualify to be a dwelling house but rather a studio due to the fact that the studio has no kitchen facilities and is not designed to accommodate a single family.

Divine Inspiration Trading 329 (Pty) Ltd. trading as Plan Active
Reg. No. 2006/030921/07
Vat. No. 4770250340

John Mc Lachlan: Ndip (Town Planning) Tech Witwatersrand; MSAPI Nr. 10908; SACPLAN Tch. Pln B/8250/2014
Pauline Spronk: B (Soc Sc) US, BA Hon (UNISA)
Meriké Lerm: B. Art et Scien Cum Laude (Town Planning) UNW; SACPLAN Pr. Pln A/158/2009

2 3000 11

- There are no windows or doors on the western wall of the studio that will impact the privacy of the adjoining land owner. It should be noted that the objector's property is situated across the road and the studio does not impact on them from a privacy point of view.
- A building plan was approved to accommodate a double garage that was later changed into a studio. If the land use of this building remained a double garage the impact of the existing western wall of the studio on the neighbour would have been the same and has no relevance to the application that constitutes a land use change of an existing building.

S.M. Wright (Erf 2053 Hermanus)

- It is mentioned by the objector that the building was previously constructed as a double garage and workshop and that they had no objection against the use. The objector however has an objection for the use of the outbuilding as a studio as described above. Noise is the major concern for the objector when our client makes use of a portion of the studio as an entertainment area and also having furniture outside. It must be noted that the property is not permanently occupied and that it is a holiday home. During the summer holiday seasons when the property is occupied by the owner they tend to make use of the outside space to entertain as most of the holiday makers in Voëlklip do.

If the use of the studio was used as a garage and workshop the owners would have still made use of the outside space to entertain, the same as they do now. The impact of the studio has a minimal impact on the neighbour. The studio is not a flatlett as it has no kitchen facilities and the studio is also not rented out as a flatlett.

- The dampness of the wall has no relevance to the land use change of the building and should not be taken into account when evaluating this application. The owner will however address the matter to ascertain how it could be remedied.
- The studio does not qualify as an additional dwelling on the subject erf and therefore only 1 dwelling unit, that being the double story dwelling, is located on the erf. The studio and the parking bay under the pergola is also not being rented out as flatlett as previously stated.
- The pergola referred to in our motivation consists of wooden slats suspended between the boundary wall and outer wall of the studio. The fact that the geyser is mounted against the wall does not change the pergola to any other type of a structure and remains a pergola.

- According to our knowledge non fixtures such as sun shades, parasols etc. does not require building plan approvals. During the 2016/2017 Christmas holiday Hermanus experience extremely hot weather and the owner was obliged to put up a shade net for their protection against the sun in order to enjoy their outdoor space.

We trust that you would find our comment on the objections in order and that the application will be favourably dealt with.

Yours faithfully


John Mc Lachlan



(GOOGLE MAPS EXTRACT 2013)





TR A Theat
(H Olivier)

Division of Telkom SA SOC Ltd

10 Jan Smuts Drive
Pinelands
7404

Candice Spammer

Tel: 021 414 5582

Fax: 086 480 0617

Email: spammec1@telkom.co.za

FILE NO:	ERF 6114 Herm
SCAN NO:	
COLLABORATOR NO:	1005 832

Our Ref.: WWIP_WVKL0747_17

Your Ref.: 6114 HVK 3462

20 March 2017

Attention: S Muller

Overstrand Municipality
HERMANUS

WAYLEAVE: DEPARTURE AND REMOVAL OF TITLE DEED RESTRICTION: ERF 6114, 49 SIXTH STREET, VOEKLIIP, HERMANUS

With reference to your application received 17 February 2017.

I hereby inform you that Telkom approves the proposed work indicated on your drawing in principle. This approval is valid for 12 months only, after which reapplication must be made if the work has not been completed.

Any changes or deviations from the original planning during or prior to construction must immediately be communicated to this office.

Approval is granted, subject to the following conditions.

As per sketch attached, Telkom SA LTD infrastructure will be affected, consequently the conditions below and on the attached legend will apply.

Telecommunication services position is shown as accurately as possible but should be regarded as approximate only.

Should alterations or relocation of existing infrastructure be required, such work will be done at the request and cost of the applicant.

61 Oak Avenue, Highveld, Techno Park, Centurion 0157,
Private Bag X881, Pretoria, Gauteng, 0001

22 MAR 2017

HVI

Please notify this office within 21 working days from this letter of acceptance and if any alternative proposal is available or if a recoverable work should commence.

As important cables are affected, please contact our representative Frederik Swart at telephone number 028 514 1199 / 081 363 7815 at least 48 hours prior of commencement on construction work.

It would be appreciated if this office can be notified within 30 days of completion of the construction work. Confirmation is required on completion of construction as per agreed requirements.

Should Telkom SA infrastructure be damaged while work is undertaken, kindly contact our representative immediately.

All Telkom SA LTD rights remain reserved.

Yours faithfully



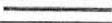








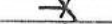
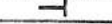

Selwyn Bowers
Operations Manager
Wayleave Management: Western Region

This wayleave, Reference Number WWIP WVKL0747 17 is valid for 12 months from date hereof and is subject to the following conditions:

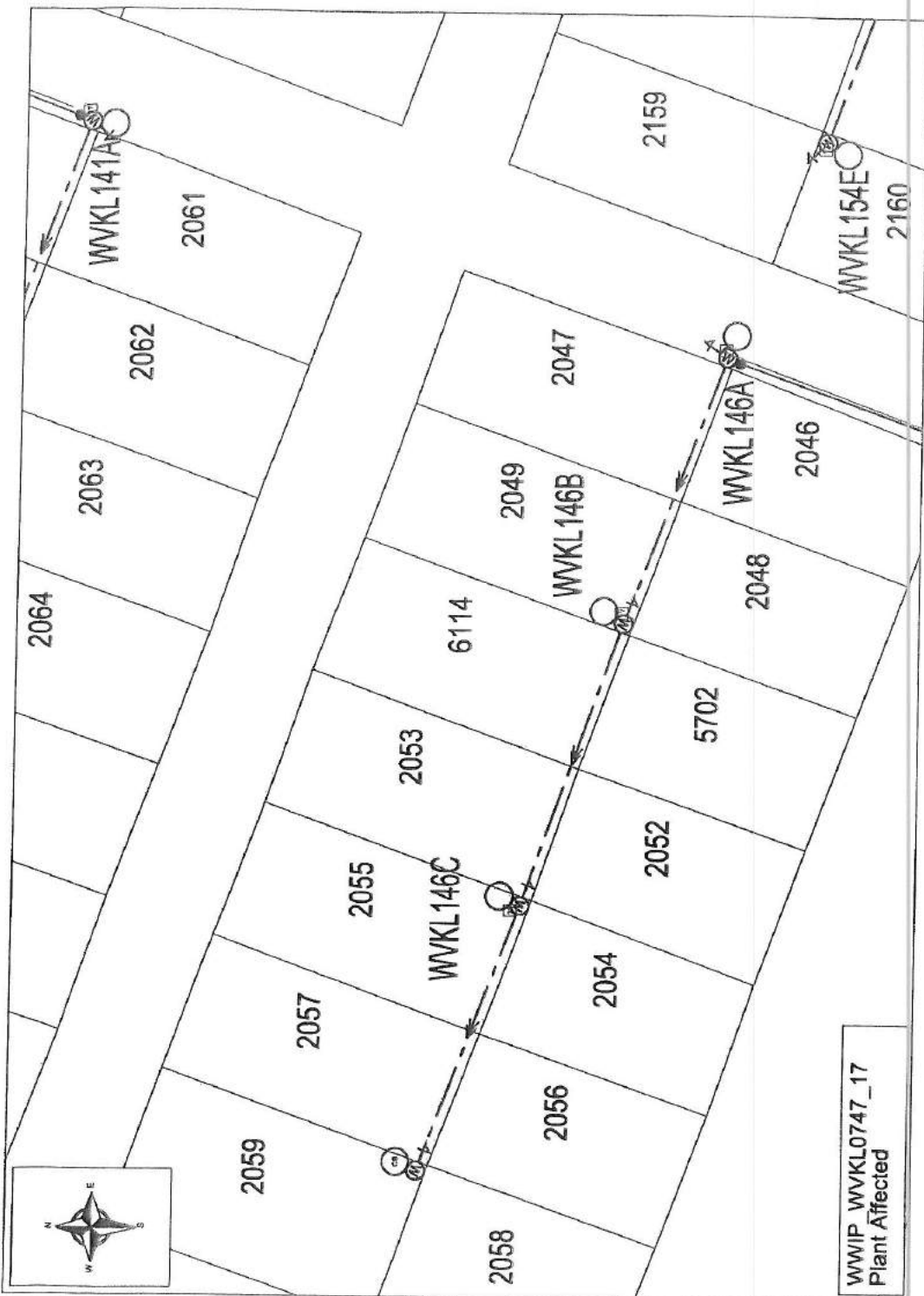
1. No mechanical plant or vibrator type compactors may be used within three meters of any Telkom Plant (I.E. any Telecommunication equipment above or below ground level).
2. The position of our plant affected by the proposal is indicated as approximate and Frederik Swart at Telephone No 081 363 7815 must be contacted at least 48 hours prior to commencement of the work, upon which the actual location of the Telkom Plant will be indicated on site.
3. A written request must be submitted to Telkom for consideration, should the of the work, upon which the actual location of Telkom Plant will be applicant require our plant to be relocated. The cost of such a relocation will be recoverable from the applicant.
4. It is the responsibility of the applicant to verify the existance of the indicated plant and to notify Telkom immediately, should the applicant locate any Telkom Plant which is not indicated on the plans.
5. Should the applicant expose any Telkom plant, the safeguard thereof will be the applicant's full responsibility.
6. Failing to comply with the above conditions or any special conditions addendum hereto will be regarded as gross negligence and the applicant will be held responsible for any damage or loss as a result thereof.

Date: 2017/03/20

By: C Spammer
For Regional General Manager
Western Cape

Telkom Symbol Legend	Green
1. Underground Pipe	
2. Underground Cable	
3. Manhole	
4. Street Distributio Cabinet (SDC)	
5. Jointing Pit / AJB	
6. Jointing Pillar (PJ)	
7. Pipe Junction Box (B/S)	
8. Robot Control	
9. Pole	
10. Stay	
11. Strut	
12. Aerial Cable (A/C)	





COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR DEPARTURE & REMOVAL OF RESTRICTIONS: ERF
6114, VOELKLIP (3462)

Electricity	:	In order
Water	:	In order
Sewer	:	In order
Stormwater	:	In order
Roads and traffic	:	In order

Conditions:

1. that only the existing water and sewerage connections will be available to the development, should larger capacity in any of these services be required, the upgrading will be at the owner's cost;
2. that only the existing electricity connection will be available for the development and that, should additional capacity be required, an investigation be conducted, with regard to the capacity required and that available, at the owner's cost;
3. that stormwater be allowed to discharge through Erf 6114, Voelklip, unobstructed;
4. that no on-street parking be allowed.



DENNIS HENDRIKS
SENIOR MANAGER:
ENGINEERING SERVICES

22/3/2017
DATE

presents, cede and transfer, in full and free property to and on behalf of

FRANCOIS JOHANNES JOUBERT, PIETER JACOBUS HUGO, JACOB ELIZA DE VILLIERS, HUGO NICOLAAS JACOBUS JAN MYBURGH, JOZUA LE ROUX MARAIS, DANIEL JOHANNES DU PLESSIS, WILLIAM WALLACE ROOME, STIRLING GRAHAM LOW, DAVID PIETER DE VILLIERS, LODEWYK AUGUS STOFBERG and NICO GEORGE SCHNEIDER, trading in partnership under the style or firm of "DIE MOSSEL-RIVIER EN VOELKLIP SINDIKAAT", (in equal shares)

its Heirs, Executors, Administrators or Assigns

1. CERTAIN piece of redeemed quitrent land, being Lots Nos.27 to 33, 30^a, 31^a, 32^a, 39 to 43, Block R, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- Five hundred and eighty-one (581) square rods, One hundred and thirty-six (136) square feet. as will more fully appear from the diagram annexed hereto.

SUBJECT to the conditions referred to in the said amended Deed of Grant dated 22nd November 1904:

SUBJECT to the special condition mentioned therein, namely:-

The land thus granted being further subject to all such rules and regulations as either are already or shall in future be established respecting lands granted on similar tenure.

ENTITLED to the benefit of the terms of certain servitude, a reference where to was, in the 15th October 1920, endorsed on the said amended Deed of Grant reading:-

A portion of this property has been set aside for parking purposes as will appear from the conditions of sale attached to a transfer No. 12857 of 9th September 1920 or ever shown on the General Plan of the area.

SUBJECT to the following special conditions of sale imposed by the Transferor Company:

i. The Purchasers shall from date hereof be subject to all laws and local Rules or Regulations, made or to be made by lawful authority and agree that the Sellers shall not be liable to make, maintain or repair or keep in order any road, drains, culverts or any other works in so far as the lots hereby sold are concerned.

ii. no Coolie or Indian nor Asiatic nor Native nor any other coloured person may be located on the Lots hereinafter mentioned unless he or she is in the bona fide employment of any lessee or owner of ground for domestic, mercantile or agricultural purposes, nor may the Lot or Lots mentioned herein be sold, transferred or leased either directly or indirectly to any Arab, Malay, Chinaman, Indian, Coolie, Kaffir, or other coloured person.

iii. That all buildings shall stand back at least ten feet from the line of the street or avenue on which the Lot or Lots herein mentioned may front, that all outbuildings shall stand back at least thirty feet from any Street or twenty feet from any avenue on which the Lot or Lots herein mentioned may front.

iv.....

Handwritten notes:
Purch. 55/1/2009, 2109221 = 1045 Rds. 24536.
TRANSFERRED 21 FEB 1936 No 1291 To C. G. E. P. J. neo
Purch. 59/1/2012 120113 Rds. BB = 695 Rds. 64536
TRANSFERRED 14 FEB 1936 No 3110 To hand diff.
Mossel River Management Board

Vertical handwritten notes:
Mossel River Management Board
Special Conditions

TRANSFERRED

ANNEXURE 13/30

iv. The Company reserves to itself the sole all water arising on or flowing over the Company's property. There shall however, be excluded from this reservation any water obtained by the owner of any land within the Township by means of wells or boreholes sunk on such land.

2. CERTAIN piece of redeemed quitrent land, being Lots Nos. 46 to 65, Block R, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- One (1) morgen, One hundred (100) square rods. As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

3. CERTAIN piece of redeemed quitrent land, being Lots Nos. 66 to 85, Block R, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- One (1) morgen, One hundred (100) square rods. As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

4. CERTAIN piece of redeemed quitrent land, being Lots Nos. 86 to 105, Block R, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- One (1) morgen, One hundred (100) square rods. As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

CERTAIN piece of redeemed quitrent land, being Lots Nos. 106 to 125, Block R, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- One (1) morgen, One hundred (100) square rods. As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

Para 97 78 Block X
76 R to 56 H

Handwritten notes and stamps: 'TRANSFERRED', 'APR 1937', 'Para 59 lots 10 to 15 Block B B-2', 'Para 63 - lots 20 to 21 Block B B-2', 'Para 53 - lots 70, 71', 'to A. J. ...', '128', '129', '130', '131', '132', '133', '134', '135', '136', '137', '138', '139', '140', '141', '142', '143', '144', '145', '146', '147', '148', '149', '150', '151', '152', '153', '154', '155', '156', '157', '158', '159', '160', '161', '162', '163', '164', '165', '166', '167', '168', '169', '170', '171', '172', '173', '174', '175', '176', '177', '178', '179', '180', '181', '182', '183', '184', '185', '186', '187', '188', '189', '190', '191', '192', '193', '194', '195', '196', '197', '198', '199', '200', '201', '202', '203', '204', '205', '206', '207', '208', '209', '210', '211', '212', '213', '214', '215', '216', '217', '218', '219', '220', '221', '222', '223', '224', '225', '226', '227', '228', '229', '230', '231', '232', '233', '234', '235', '236', '237', '238', '239', '240', '241', '242', '243', '244', '245', '246', '247', '248', '249', '250', '251', '252', '253', '254', '255', '256', '257', '258', '259', '260', '261', '262', '263', '264', '265', '266', '267', '268', 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'984', '985', '986', '987', '988', '989', '990', '991', '992', '993', '994', '995', '996', '997', '998', '999', '1000'.

6. CERTAIN piece of redeemed quitrent land, being Lots ANNEXURE J 4/30 126 to 140, Block R, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon quitrents Volume 10 No.19).

MEASURING:- Five hundred and twenty-six (526) square roods. Fifty-six (56) square feet. As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

7. CERTAIN piece of redeemed quitrent land, being Lots Nos. 32 to 36, 41 to 45, Block S, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon quitrents Volume 10 No.19).

MEASURING:- Three hundred and forty-seven (347) square roods, Thirty-two (32) square feet. As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

CERTAIN piece of redeemed quitrent land, being Lots Nos. 46 to 49, Block S, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon quitrents Volume 10 No.19).

MEASURING:- Five hundred (500) square roods. As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

CERTAIN piece of redeemed quitrent land, being Lots Nos. 60 to 63, Block S, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon quitrents Volume 10 No.19).

MEASURING:- Five hundred (500) square roods. As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

CERTAIN piece of redeemed quitrent land, being Lots Nos. 74 to 77, Block S, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon quitrents Volume 10 No.19).

MEASURING:-

*Para 6. Lots 126 to 140 Block R = 1 acre 24 aq 9 sq 64 sq ft
TRANSFERRED 13 SEP 1937 (No 4744) to A. P. Jamison*

*Para 7. Lots 32 to 36, 41 to 45 Block S = 1 acre 24 aq 9 sq 64 sq ft
TRANSFERRED 24 SEP 1937 (No 4744) to A. P. Jamison*

*Para 8. Lots 46 to 49 Block S = 1 acre 24 aq 9 sq 64 sq ft
TRANSFERRED 24 SEP 1937 (No 4744) to A. P. Jamison*

*Para 9. Lots 60 to 63 Block S = 1 acre 24 aq 9 sq 64 sq ft
TRANSFERRED 24 SEP 1937 (No 4744) to A. P. Jamison*

*Para 10. Lots 74 to 77 Block S = 1 acre 24 aq 9 sq 64 sq ft
TRANSFERRED 24 SEP 1937 (No 4744) to A. P. Jamison*

*Para 11. Lots 126 to 140 Block R = 1 acre 24 aq 9 sq 64 sq ft
TRANSFERRED 24 SEP 1937 (No 4744) to A. P. Jamison*

*Para 12. Lots 32 to 36, 41 to 45 Block S = 1 acre 24 aq 9 sq 64 sq ft
TRANSFERRED 24 SEP 1937 (No 4744) to A. P. Jamison*

*Para 13. Lots 46 to 49 Block S = 1 acre 24 aq 9 sq 64 sq ft
TRANSFERRED 24 SEP 1937 (No 4744) to A. P. Jamison*

*Para 14. Lots 60 to 63 Block S = 1 acre 24 aq 9 sq 64 sq ft
TRANSFERRED 24 SEP 1937 (No 4744) to A. P. Jamison*

MEASURING:- Five hundred (500) square rods.
As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

- 11. CERTAIN piece of redeemed quitrent land, being Lots Nos. 88 to 101, Block S, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No. 19).

MEASURING:- Five hundred (500) square rods.
As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

CERTAIN piece of redeemed quitrent land, being Lots Nos. 102 to 108, Block S, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No. 19).

MEASURING:- Two hundred and fifty (250) square rods.
As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

CERTAIN piece of redeemed quitrent land, being Lots Nos. 24 to 29, 38 to 43, Block T, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No. 19).

MEASURING:- Four hundred and sixteen (416) square rods, Ninety-six (96) square feet.
As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

CERTAIN piece of redeemed quitrent land, being Lots Nos. 44 to 63, Block T, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No. 19).

MEASURING:- One (1) morgen, Ninety-four (94) square rods, Sixty-four (64) square feet.
As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

Para 69 Lots 81 122 139 140, Bib CC. (Amend) = 138 of 1904. 128
TRANSFERRED
24 SEP 1937
to

Para 69 Lots 81 122 139 140, Bib CC. (Amend) = 138 of 1904. 128
REGISTERED
24 SEP 1937
to

X-writing continued on last page of deed.

15. CERTAIN piece of redeemed quitrent land, being Lots Nos. 64 to 83, Block T, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).
- MEASURING:- One (1) morgen, Ninety-four (94) square rods, Sixty-four (64) square feet.
As will more fully appear from the diagram annexed hereto.
- SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.
16. CERTAIN piece of redeemed quitrent land, being Lots Nos. 84 to 103, Block T, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).
- MEASURING:- One (1) morgen, Ninety-four (94) square rods, Sixty-four (64) square feet.
As will more fully appear from the diagram annexed hereto.
- SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.
17. CERTAIN piece of redeemed quitrent land, being Lots Nos. 104 to 123, Block T, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).
- MEASURING:- One (1) morgen, Ninety-four (94) square rods, Sixty-four (64) square feet.
As will more fully appear from the diagram annexed hereto.
- SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.
18. CERTAIN piece of redeemed quitrent land, being Lots Nos. 124 to 143, Block T, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).
- MEASURING:- One (1) morgen, Ninety-four (94) square rods, Sixty-four (64) square feet.
As will more fully appear from the diagram annexed hereto.
- SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.
19. CERTAIN piece of redeemed quitrent land, being Lots Nos. 21, 22, 39, 40, Block U, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:-.....

MEASURING:- One hundred and thirty-eight (138) square rods, One hundred and twenty-eight (128) square feet.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

20. CERTAIN piece of redeemed quitrent land, being Lots Nos. 65 to 68, 73 to 76, Block U, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- Two hundred and seventy-seven (277) square rods, One hundred and twelve (112) square feet.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

21. CERTAIN piece of redeemed quitrent land, being Lots Nos. 61 to 64, 77 to 80, Block U, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- Two hundred and seventy-seven (277) square rods, One hundred and twelve (112) square feet.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

22. CERTAIN piece of redeemed quitrent land, being Lots Nos. 118 to 121, Block U, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- One hundred and forty-five (145) square rods, One hundred and twenty (120) square feet.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

23. CERTAIN piece of redeemed quitrent land, being Lots Nos. 20 to 24, Block V, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- One hundred and seventy-three (173) square rods, Eighty-eight (88) square feet.

As will more fully appear from the diagram annexed hereto.

SUBJECT.....

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

24. CERTAIN piece of redeemed quitrent land, being Lots Nos. 25 to 26, Block V, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- Sixty-nine (69) square roods,
Sixty-four (64) square feet.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

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25. CERTAIN piece of redeemed quitrent land, being Lots Nos. 51 to 60, Block V, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- Three hundred and forty-seven (347) square roods, Thirty-two (32) square feet.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

26. CERTAIN piece of redeemed quitrent land, being Lots Nos. 34 to 39, Block W, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- Two hundred and eight (208) square roods, Forty-eight (48) square feet.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

- 2530
27. CERTAIN piece of redeemed quitrent land, being Lots Nos. 43 to 46, Block W, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- One hundred and thirty-eight (138) square roods,
One hundred and twenty-eight (128) square feet.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

28. CERTAIN piece of redeemed quitrent land, being Lots Nos. 49 to 56, Block W, a portion of the farm Mossel River, situate.....

situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- Two hundred and seventy-seven (277) square roods, One hundred and twelve (112) square feet.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

29. CERTAIN piece of redeemed quitrent land, being Lots Nos. 57 to 60, Block W, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- One hundred and thirty-eight (138) square roods, One hundred and twenty-eight (128) square feet.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

30. CERTAIN piece of redeemed quitrent land, being Lots Nos. 78 to 91, Block X, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- Five hundred (500) square roods.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

31. CERTAIN piece of redeemed quitrent land, being Lots Nos. 92 to 98, Block X, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- Two hundred and fifty (250) square roods.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

32. CERTAIN piece of redeemed quitrent land, being Lots Nos. 52, 53, 55, Block Y, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- One hundred and four (104) square roods, Twenty-four (24) square feet.

As.....

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

33. CERTAIN piece of redeemed quitrent land, being Lots Nos. 70 and 71, Block Y, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon quitrents Volume 10 No.19).

MEASURING:- Sixty-nine (69) square roods,
Sixty-four (64) square feet.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

34. CERTAIN piece of redeemed quitrent land, being Lots Nos. 75 to 77, 83 to 85, Block Y, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon quitrents Volume 10 No.19).

MEASURING:- Two hundred and eight (208) square roods,
Forty-eight (48) square feet.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

- 2753
35. CERTAIN piece of redeemed quitrent land, being Lots Nos. 78 to 82, Block Y, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon quitrents Volume 10 No.19).

MEASURING:- One hundred and seventy-three (173) square roods,
Eighty-eight (88) square feet.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

- 2798
36. CERTAIN piece of redeemed quitrent land, being Lots Nos. 92 and 93, Block Y, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon quitrents Volume 10 No.19).

MEASURING:- Sixty-nine (69) square roods,
Sixty-four (64) square feet.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

11.

37. CERTAIN piece of redeemed quitrent land, being Lots Nos. 87 to 91, 94 to 99, Block Y, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- Three hundred and eighty-one (381) square roods, One hundred and thirty-six (136) square feet.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

38. CERTAIN piece of redeemed quitrent land, being Lots Nos. 100 to 115, Block Y, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- Five hundred and fifty-five (555) square roods, Eighty (80) square feet.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

39. CERTAIN piece of redeemed quitrent land, being Lots Nos. 73 to 80, 89 to 96, Block Z, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- Five hundred and fifty-five (555) square roods, Eighty (80) square feet.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

40. CERTAIN piece of redeemed quitrent land, being Lots Nos. 97 to 120, Block Z, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- One (1) morgen, Two hundred and thirty-three (233) square roods, Forty-eight (48) square feet.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

41.....

41. CERTAIN piece of redeemed quitrent land, being Lots Nos. 121 to 144, Block Z, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- One (1) morgen, Two hundred and thirty-three (233) square rods, Forty-eight (48) square feet.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

42. CERTAIN piece of redeemed quitrent land, being Lots Nos. 145 to 168, Block Z, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- One (1) morgen, Two hundred and thirty-three (233) square rods, Forty-eight (48) square feet.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

43. CERTAIN piece of redeemed quitrent land, being Lots Nos. 169 to 191, Block Z, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- One (1) morgen, One hundred and ninety-eight (198) square rods, Eighty-eight (88) square feet.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

44. CERTAIN piece of redeemed quitrent land, being Lots Nos. 192 to 207, Block Z, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- Five hundred and fifty-five (555) square rods, Eighty (80) square feet.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

45. CERTAIN piece of redeemed quitrent land, being Lots Nos. 208 to 214, Block Z, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- Two hundred and forty-three (243) square roods, Eight (8) square feet.
As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

46. CERTAIN piece of redeemed quitrent land, being Lots Nos. 49 to 52, 65 to 68, Block AA, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- Two hundred and seventy-seven (277) square roods, One hundred and twelve (112) square feet.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

47. CERTAIN piece of redeemed quitrent land, being Lots Nos. 54 to 63, Block AA, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No. 19).

MEASURING:- Three hundred and forty-seven (347) square roods, Thirty-two (32) square feet.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

48. CERTAIN piece of redeemed quitrent land, being Lots Nos. 69 to 88, Block AA, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- One (1) morgen, Ninety-four (94) square roods, Sixty-four (64) square feet.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

14.

49. CERTAIN piece of redeemed quitrent land, being Lots Nos. 89 to 108, Block AA, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- One (1) morgen, Ninety-four (94) square roods, Sixty-four (64) square feet.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

50. CERTAIN piece of redeemed quitrent land, being Lots Nos. 109 to 128, Block AA, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- One (1) morgen, Ninety-four (94) square roods, Sixty-four (64) square feet.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

51. CERTAIN piece of redeemed quitrent land, being Lots Nos. 129 to 148, Block AA, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- One (1) morgen, Ninety-four (94) square roods, Sixty-four (64) square feet.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

52. CERTAIN piece of redeemed quitrent land, being Lots Nos. 149 to 168, Block AA, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- One (1) morgen, Ninety-four (94) square roods, Sixty-four (64) square feet.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

53.....

15.

53. CERTAIN piece of redeemed quitrent land, being Lots Nos. 170 to 188, Block AA, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- One (1) morgen, Fifty-nine (59) square rods,
One hundred and four (104) square feet.
As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

54. CERTAIN piece of redeemed quitrent land, being Lots Nos. 189 to 196, 201 to 208, Block AA, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904. (Caledon Quitrents Volume 10 No.19).

MEASURING:- Five hundred and fifty-five (555) square rods,
Eighty (80) square feet.
As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

55. CERTAIN piece of redeemed quitrent land, being Lots Nos. 209 to 221, Block AA, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- Four hundred and fifty-one (451) square rods,
Fifty-six (56) square feet.
As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

56. CERTAIN piece of redeemed quitrent land, being Lots Nos. 30 to 53, Block BB, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- One (1) morgen, Two hundred and thirty-three (233) square rods, Forty-eight (48) square feet.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

57.....

57. CERTAIN piece of redeemed quitrent land, being Lots Nos. 54 to 77, Block BB, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- One (1) morgen, Two hundred and thirty-three (233) square roods, Forty-eight (48) square feet.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

58. CERTAIN piece of redeemed quitrent land, being Lots Nos. 78 to 101, Block BB, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- One (1) morgen, Two hundred and thirty-three (233) square roods, Forty-eight (48) square feet.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

59. CERTAIN piece of redeemed quitrent land, being Lots Nos. 102 to 125, Block BB, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- One (1) morgen, Two hundred and thirty-three (233) square roods, Forty-eight (48) square feet.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

60. CERTAIN piece of redeemed quitrent land, being Lots Nos. 126 to 149, Block BB, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- One (1) morgen, Two hundred and thirty-three (233) square roods, Forty-eight (48) square feet.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

61.....

61. CERTAIN piece of redeemed quitrent land, being Lots Nos. 150 to 173, Block BB, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- One (1) morgen, Two hundred and thirty-three (233) square rods, Forty-eight (48) square feet.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

62. CERTAIN piece of redeemed quitrent land, being Lots Nos. 174 to 197, Block BB, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No. 19).

MEASURING:- One (1) morgen, Two hundred and thirty-three (233) square rods, Forty-eight (48) square feet.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

63. CERTAIN piece of redeemed quitrent land, being Lots Nos. 198 to 221, Block BB, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- One (1) morgen, Two hundred and thirty-three (233) square rods, Forty-eight (48) square feet.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

64. CERTAIN piece of redeemed quitrent land, being Lots Nos. 223 to 227, Block BB, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- One hundred and seventy-three (173) square rods, Eighty-eight (88) square feet.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

65. CERTAIN piece of redeemed quitrent land, being Lots Nos. 46 to 55, Block CC, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- Three hundred and forty-seven (347) square roods, Thirty-two (32) square feet.
As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

66. CERTAIN piece of redeemed quitrent land, being Lots Nos. 61 to 80, Block CC, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- One (1) morgen, Ninety-four (94) square roods, Sixty-four (64) square feet.
As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

67. CERTAIN piece of redeemed quitrent land, being Lots Nos. 81 to 88, 93 to 100, Block CC, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- Five hundred and fifty-five (555) square roods, Eighty (80) square feet.
As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

68. CERTAIN piece of redeemed quitrent land, being Lots Nos. 101 to 120, Block CC, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- One (1) morgen, Ninety-four (94) square roods, Sixty-four (64) square feet.
As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

19.

69. CERTAIN piece of redeemed quitrent land, being Lots Nos. 121 to 140, Block CC, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- One (1) morgen, Ninety-four (94) square roods,
Sixty-four (64) square feet.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

70. CERTAIN piece of redeemed quitrent land, being Lots Nos. 141 to 160, Block CC, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- One (1) morgen, Ninety-four (94) square roods,
Sixty-four (64) square feet.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

71. CERTAIN piece of redeemed quitrent land, being Lots Nos. 161 to 180, Block CC, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- One (1) morgen, Ninety-four (94) square roods,
Sixty-four (64) square feet.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

72. CERTAIN piece of redeemed quitrent land, being Lots Nos. 181 to 197, Block CC, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- Five hundred and ninety (590) square roods,
Forty (40) square feet.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

73.....

73. CERTAIN piece of redeemed quitrent land, being Lots Nos. 198 and 199, Block CC, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No. 19).

MEASURING:- Sixty-nine (69) square roods,
Sixty-four (64) square feet.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

74. CERTAIN piece of redeemed quitrent land, being Lots Nos. 41 to 60, Block DD, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No. 19).

MEASURING:- One (1) morgen, One hundred (100) square roods.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

75. CERTAIN piece of redeemed quitrent land, being Lots Nos. 61 to 80, Block DD, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No. 19).

MEASURING:- One (1) morgen, One hundred (100) square roods.

As will more fully appear from the diagram annexed hereto.

your subject to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof

76. CERTAIN piece of redeemed quitrent land, being Lots Nos. 81 to 100, Block DD, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No. 19).

MEASURING:- One (1) morgen, One hundred (100) square roods.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

21.

77. CERTAIN piece of redeemed quitrent land, being Lots Nos. 101 to 120, Block DD, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No. 19).

MEASURING:- One (1) morgen, One hundred (100) square roods.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

78. CERTAIN piece of redeemed quitrent land, being Lots Nos. 121 to 140, Block DD, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No. 19).

MEASURING:- One (1) morgen, One hundred (100) square roods.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

79. CERTAIN piece of redeemed quitrent land, being Lots Nos. 141 to 160, Block DD, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No. 19).

MEASURING:- One (1) morgen, One hundred (100) square roods.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

80. CERTAIN piece of redeemed quitrent land, being Lots Nos. 25 to 44, Block EE, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No. 19).

MEASURING:- One (1) morgen, One hundred (100) square roods.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

81.....

81. CERTAIN piece of redeemed quitrent land, being Lots Nos. 45 to 64, Block EE, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No. 19).

MEASURING:- One (1) morgen, One hundred (100) square rods, As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

82. CERTAIN piece of redeemed quitrent land, being Lots Nos. 65 to 84, Block EE, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No. 19).

MEASURING:- One (1) morgen, One hundred (100) square rods, As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

83. CERTAIN piece of redeemed quitrent land, being Lots Nos. 85 to 104, Block EE, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No. 19).

MEASURING:- One (1) morgen, One hundred (100) square rods, As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

84. CERTAIN piece of redeemed quitrent land, being Lots Nos. 105 to 124, Block EE, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No. 19).

MEASURING:- One (1) morgen, One hundred (100) square rods, As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

85.....

23.

85. CERTAIN piece of redeemed quitrent land, being Lots Nos. 125 to 144, Block EE, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No. 19).

MEASURING:- One (1) morgen, One hundred (100) square roods.

As will more fully appear from the diagram annexed hereto. SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

86. CERTAIN piece of redeemed quitrent land, being Lots Nos. 145 to 162, Block EE, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No. 19).

MEASURING:- Two hundred and eighty-three (283) square roods, Forty-eight (48) square feet.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

87. CERTAIN piece of redeemed quitrent land, being Lots Nos. 23a, 30 to 35, 32a, 44 to 49, Block EE, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- Five hundred (500) square roods.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit-of the conditions set out under paragraph 1. hereof.

88. CERTAIN piece of redeemed quitrent land, being Lots Nos. 54 to 65, Block EE, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- Four hundred and twenty-two (422) square roods, Thirty-two (32) square feet.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

89.....

89. CERTAIN piece of redeemed quitrent land, being Lots Nos. 68 and 69, Block FF, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No. 19).

MEASURING:- Sixty-nine (69) square roods,
Sixty-four (64) square feet.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

90. CERTAIN piece of redeemed quitrent land, being Lots Nos. 70 to 89, Block FF, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No. 19).

MEASURING:- One (1) morgen, One hundred (100) square roods.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

91. CERTAIN piece of redeemed quitrent land, being Lots Nos. 90 to 109, Block FF, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No. 19).

MEASURING:- One (1) morgen, One hundred (100) square roods.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

92. CERTAIN piece of redeemed quitrent land, being Lots Nos. 110 to 129, Block FF, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No. 19).

MEASURING:- One (1) morgen, One hundred (100) square roods.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

25.

93. CERTAIN piece of redeemed quitrent land, being Lots Nos. 130 to 134, 134A, 135 to 148, Block FF, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- One (1) Morgen, One Hundred (100) square roods.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

94. CERTAIN piece of redeemed quitrent land, being Lots Nos. 149 to 168, Block FF, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under Amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- One (1) morgen, One hundred (100) square roods.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

95. CERTAIN piece of redeemed quitrent land, being Lots Nos. 48 to 57, 60 to 71, Block GG, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- One (1) morgen, One hundred and sixty-three (163) square roods, One hundred and Twenty-eight (128) square feet.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

96. CERTAIN piece of redeemed quitrent land, being Lots Nos. 72 to 95, Block GG, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No. 19).

MEASURING:- One (1) morgen, Two hundred and thirty-three (233) square roods, Forty-eight (48) square feet.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

97. CERTAIN piece of redeemed quitrent land, being Lots Nos. 96 to 119, Block GG, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No. 19).

MEASURING:- One (1) morgen, Two hundred and thirty-three (233) square roods, Forty-eight (48) square feet.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

98. CERTAIN piece of redeemed quitrent land, being Lots Nos. 120 to 143, Block GG, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- One (1) morgen, Two hundred and thirty-three (233) square roods, Forty-eight (48) square feet.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

99. CERTAIN piece of redeemed quitrent land, being Lots Nos. 144 to 167, Block GG, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- One (1) morgen, Two hundred and thirty-three (233) square roods, Forty-eight (48) square feet.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

100. CERTAIN piece of redeemed quitrent land, being Lots Nos. 9 to 19, Block HH, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING :- Three hundred and ninety-five (395) square roods, Fourteen (14) square feet.

As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

101.....

27.

101. CERTAIN piece of redeemed quitrent land, being Lots Nos. 20 to 36, Block HH, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).
- MEASURING:- One (1) morgen, Seventeen (17) square roods, Thirty (30) square feet.
As will more fully appear from the diagram annexed hereto.
- SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.
102. CERTAIN piece of redeemed quitrent land, being Lots Nos. 37 to 56, Block HH, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).
- MEASURING:- One (1) morgen, Ninety-four (94) square roods, Sixty-four (64) square feet.
As will more fully appear from the diagram annexed hereto.
- SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.
103. CERTAIN piece of redeemed quitrent land, being Lots Nos. 57 to 76, Block HH, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).
- MEASURING:- One (1) morgen, Ninety-four (94) square roods, Sixty-four (64) square feet.
As will more fully appear from the diagram annexed hereto.
- SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.
104. CERTAIN piece of redeemed quitrent land, being Lots Nos. 77 to 96, Block HH, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).
- MEASURING:- One (1) morgen, Ninety-four (94) square roods, Sixty-four (64) square feet.
As will more fully appear from the diagram annexed hereto.
- SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

105.....

105. CERTAIN piece of redeemed quitrent land, being Lots Nos. 97 to 116, Block HH, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under Amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- One (1) morgen, Ninety-four (94) square rods, Sixty-four (64) square feet.
As will more fully appear from the Diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

106. CERTAIN piece of redeemed quitrent land, being Lots Nos. 3 to 7 and 9 to 15, Block E, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under Amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- Seventy-two thousand, two hundred and fourteen (72,214) square feet.
As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

107. CERTAIN piece of redeemed quitrent land, being Lots Nos. 1 to 13, Block F, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under Amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- Seventy-one thousand, one hundred and eighty-three (71,183) square feet.
As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

108. CERTAIN piece of redeemed quitrent land, being Lots Nos. 18, Block H, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No.19).

MEASURING:- Five thousand (5,000) square feet.
As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

113. CERTAIN piece of redeemed quitrent land, being Lots Nos. 1 to 16, Block P, a portion of the farm Mossel River, situate in the Local Board Area of Mossel River, Division of CALEDON, granted under amended Deed of Grant under Act 9 of 1879 to the Mossel River Estate Company Limited, on the 22nd November 1904 (Caledon Quitrents Volume 10 No. 19).

MEASURING:- Eighty thousand (80,000) square feet. As will more fully appear from the diagram annexed hereto.

SUBJECT to and/or entitled to the benefit of the conditions set out under paragraph 1. hereof.

Therefore, the Appearer, renouncing all the Right and Title the Transferor Company heretofore had to the premises on behalf as aforesaid, did in consequence, acknowledge the said Transferor Company as aforesaid to be the possessor of, and consented to the same; and that by virtue of the Presents,

THE Mossel River SYNDICATE
(in equal shares)

Heretofore, its Agents, Administrators, or Assigns, now is and henceforth shall be entitled hereto conformably to local custom, Government, however, reserving its Right; and finally acknowledging the said Transferor Company to have been the whole of the purchase money amounting to a

SIX THOUSAND POUNDS (£6,000)

wherefore, the said Registrar, together with the Appearer have subscribed the said Deed, and have caused the Seal of Office to be affixed thereto.

This Deed was signed and executed at the Office of the Registrar of Deeds, at CAPE TOWN, on the 24th Day of the Month of September, in the year of Our Lord, One Thousand Nine Hundred and Thirty five (1935).

Jan. 24

g.g.

M. M. M. M.
Registrar of Deeds

TRANSFERRED 24 SEP 1935

To Die

Grant - *transferred with Transfer*
No. 846 old 11/8/35.

Form method of granting, & reason for

Notes with
Para 21-25, 27-30; Remort Para 31; Para 22-38; Remort Para 37.
Remort Para 40 & 41; Para 43; Remort Para 44, 45 & 46 & 47.
Para 48; Remort Para 49; Para 50-52; Remort Para 53, 54, 55.
Para 56-58; Remort Para 59; Para 60-62; Remort Para 63, 64, 65.
Para 66 (old 123-138); Remort Para 67; Para 68, 69 (old 123-138); Remort Para 70-74; Para 90-94.

Lockly the aik aat.

ANNEXURE J 30/30

Certified a true copy of the original filed
of record in this Registry in terms of

[Handwritten Signature]

Deeds Registry
Cape Town

Registry of Deeds

