

STOWELL'S

39

CHAMBERLAIN'S ATTORNEYS
147 COWEY ROAD
BEREA
DURBAN
4001

Prepared by me

(Handwritten signature)

FEES	
Stamp duty	
Reg	R1000,00
Serv	
G/M Bond	

BC 000010652 / 2020

GEKANSLEER
CANCELLED

(Handwritten mark)

(3)

CONVEYANCER
BERNARDIS LARRATT B M
STOWELL AW
(Handwritten initials)

REGISTRATEUR/REGISTRAR

DATE: 2020-06-22 VERBIND

MORTGAGED

VIR
FOR R 2 200 000,00

B 016919/09

(Handwritten signature)

(3)

2009-03-14

REGISTRATEUR/REGISTRAR

2009-03-14

T 033346/09

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

ADRIAN WALTER STOWELL

appeared before me, REGISTRAR OF DEEDS at Pietermaritzburg, the said appearer being duly authorised thereto by a Power of Attorney which said Power of Attorney was signed at DURBAN on 24th July 2009 granted to him by

**D E W I PROPERTIES CC
NUMBER 1991/028784/23**

VIR VERDERE ENDOSSEMENTE SIEH
FOR FURTHER ENDORSEMENTS SEE PAGE 1.

(Handwritten mark)

BC
 10/23/2020
 GEKANSLEER
 CANCELLED

 REGISTRATEUR/REGISTRAR

u)

MORTGAGE
 VERBIND
 DATE: 2020-06-23
 VIR
 FOR R 3 600 000 .00
 B 009020763 / 2015
 2015-11-06
 REGISTRATEUR / REGISTRAR

2)

For Information Only

And the appearer declared that his said principal had, on 7 July 2009, truly and legally sold by Private Treaty, and that he, the said Appearer, in his capacity aforesaid, did, by virtue of these presents, cede and transfer to and on behalf of:

**LOT 912 PINETOWN EXT 16 CC
NUMBER 1997/002963/23**

or its Successors in Title or assigns, in full and free property

ERF 913, PINETOWN EXTENSION 16
REGISTRATION DIVISION FT
PROVINCE OF KWAZULU-NATAL

IN EXTENT 2277 (TWO THOUSAND TWO HUNDRED AND SEVENTY SEVEN) SQUARE METRES

FIRST REGISTERED by Certificate of Registered Title No. 7687/1953 with Diagram annexed thereto and held by Deed of Transfer No. T22124/93

THIS PROPERTY IS TRANSFERRED

- (A) Subject to the conditions of the original Government Grant No. 815, dated 1st October 1847, in so far as applicable.
- (B) In so far as applied to the portion lettered E.A.B.M. on the diagram S.G. No. 8039/51 annexed to said Certificate of Registered Title No. 7687/1953:
- (1) With the benefit of the use of all roads and rights of way over transferred subdivisions of the Lot Meller of Pinetown, as created in the relevant subdivisional transfers.
 - (2) With the benefit of a right of way in perpetuity 9,14 metres wide over Lot 115, Pinetown, situate in the Township of Pinetown, County of Durban, Province of Natal, as created in Notarial Deed of Servitude No. 93/1946S registered on the 18th day of June 1946.
 - (3) With the benefit of a right of way 9,14 metres wide over :
 - (i) Lot 109 Pinetown, situate in the Township of Pinetown, County of Durban, Province of Natal, and
 - (ii) Lot 120 of Pinetown, situate in the Township of Pinetown, County of Durban, Province of Natal:

As created in Notarial Deed of Servitude No. 96/1946S registered on the 18th day of June, 1946.

- (4) Subject to the following special conditions, as created in Certificate of Registered Title No. 4214/1947:-

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- (i) Neither the said property nor any portion thereof shall be used for the purpose of carrying on thereon any business for the sale or supply of intoxicating liquors.

The foregoing conditions shall operate as servitudes over the property thereby transferred in favour of transferred subdivisions of the said Lot Meller of Pinetown, as created in the relevant subdivisional transfers.

- (ii) "With the benefit of enforcing a condition similar to that set out under paragraph 4(i) above against transferred subdivisions of the said Lot Meller of Pinetown, as created in the relevant subdivisional transfers."

- (C) In so far as applies to the portion lettered E.M.C.D. on the diagram S.G. No. 8039/51 annexed to said Certificate of Registered Title No. 7687/1953:

- (a) With the use of a road servitude lettered A.B.C.D.E.F. on the diagram S.G. No. 3083/46, annexed to Deed of Transfer No. 4216/1947, over the Remainder of said Lot Meller of Pinetown, as created in Deed of Transfer No. 4217/1947.

- (b) With the use of a pump house servitude lettered c c' middle of stream J'J on the diagram thereof, over the Remainder of said Lot Meller of Pinetown, as created in said Deed of Transfer No. 4217/1947.

- (c) Subject to the following special conditions created in said Deed of Transfer No. 4217/1947, viz:

- (1) Neither the said property nor any portion thereof shall be used for the purpose of carrying on thereon any business for the sale or supply of intoxicating liquors.

This condition of title will apply save insofar as it has not lapsed by virtue of Section 28 of Act No. 101/1969.

The foregoing conditions shall operate as servitudes over the property hereby transferred in favour of transferred subdivisions of the said Lot Meller of Pinetown, as created in the relevant subdivisional transfers.

- (2) With the benefit of enforcing a condition similar to that set out under paragraph (d) 1 above against transferred subdivisions of the said Lot Meller of Pinetown, as created in the relevant subdivisional transfers.

- (D) With the benefit of the use of all roads and rights of way over the transferred subdivisions of the said Lot Meller of Pinetown, as created in the relevant subdivisional transfers.

- (E) With the benefit of a right of way in perpetuity 9,14 metres wide over Lot 115 Pinetown situate in the Township of Pinetown, County of Durban,

Province of Natal, as created in Notarial Deed of Servitude 93/1946S, registered on the 18th day of June, 1946.

(F) With the benefit of a right of way 9,14 metres wide over :-

(1) Lot 109 Pinetown, situate in the Township of Pinetown, County of Durban, Province of Natal, and

(2) Lot 120 Pinetown, situate in the Township of Pinetown, County of Durban, Province of Natal

As created in Notarial Deed of Servitude No. 96/1946S registered on the 18th June 1946

(G) Subject to the following special conditions imposed by the Administrator of Natal under the provisions of Ordinance 10 of 1934, as amended, as created in the said Deed of Transfer No. 4190/1955 :

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

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

(b) The Local authority shall, without compensation have the right to erect, lay and maintain electric wires and/or water supply piping over or under the lot along any boundary thereof other than a road frontage and within a distance of 2,44 metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension.

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

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

(c) The local authority shall, without compensation, have the right to construct and maintain sewers and drains over or under the lot along any boundary thereof other than a road frontage and within a distance of 2,44 metres from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension, and the owner of the lot shall, without compensation, be obliged to allow the sewerage and drainage of any other lot or street to be conveyed along such sewers and drains, provided that if the owner of the lot be aggrieved the the unreasonable exercise of these rights he shall have the right of appeal to the Administrator, whose decision shall be final.

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

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

- (e) No trade, industry or manufacture, which in the opinion of the local authority is noisome, noxious or injurious to the health of the occupants of adjacent land, shall be conducted on the lot.
- (f) No trade, business, industry, manufacture, process or occupation shall be carried on upon the said lot if, in the course of such trade, business, industry, manufacture, process or occupation, any offensive liquid or waste water, is or is liable to be produced or discharged therefrom, or is likely to become offensive or to cause a nuisance, until such arrangements have been made to the satisfaction of the Administrator of the Province of Natal, as will effectually prevent such offensive liquid or waste water being or causing a nuisance on the said lot, or being or causing or becoming a nuisance after leaving or being discharged or conveyed from the said lot, or being conveyed into any supply of water which is used for drinking or other domestic purposes, or into any public river or stream, whether directly or by percolation or otherwise.

In the event of any arrangements as aforesaid proving to be insufficient or inadequate in any respect, any trade business, industry, manufacture, process or occupation, shall forthwith be discontinued – upon receipt of written notification to that effect – until such time as further arrangements have been made to the satisfaction of the Administrator aforesaid

- H. Subject to a 1,83 metre electric cable and electric sub station servitude lettered FGJKLCDE on the Diagram of said Lot 913 in favour of the City Council of Durban, as created in Notarial Deed of Servitude No. 350/1953S dated 14th September, 1953.

WHEREFORE the said Appearer, renouncing all right and title which the said

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heretofore had to the premises, did in consequence also acknowledge it to be entirely dispossessed of, and disentitled to the same, and that by virtue of these presents, the said

**LOT 912 PINETOWN EXT 16 CC
NUMBER 1997/002963/23 nm**

or its Successors in Title or assigns, now is and henceforth shall be entitled thereto, conformably to local custom, the State, however reserving its rights, and finally acknowledging the purchase price to be the sum of R3 600 000,00 (THREE MILLION SIX HUNDRED THOUSAND RAND).

IN WITNESS WHEREOF, I the said Registrar, together with the Appearer, have subscribed to these presents, and have caused the Seal of Office to be affixed thereto.

THUS DONE and EXECUTED at the Office of the REGISTRAR OF DEEDS at Pietermaritzburg on

2008



q.q.

In my presence



REGISTRAR OF DEEDS