

110

HICKMAN VAN EEDEN PHILLIPS
96 VAN RIEBEECK ROAD
KUILS RIVER
7580

Prepared by me



CONVEYANCER
A.H. VAN EEDEN

FEE
R. 650,00

VERIF
21 DEC 2010
OLIVIER YOLANDI

T. 064494 / 10/

DEED OF TRANSFER

DATA / CAPTURE
17 DEC 2010
NCAPALLINDA

BE IT HEREBY MADE KNOWN THAT

JACOBUS PETRUS VAN ZYL

appeared before me, REGISTRAR OF DEEDS at Cape Town, the said appearer being duly authorised thereto by a Power of Attorney which said Power of Attorney was signed at KUILS RIVER on 4 AUGUST 2010 granted to him by

**The Trustees for the time being of
HENSJEN FAMILY TRUST
Registration Number IT195/1997**

A For further endorsements see page 9

Endorsement I.T.O Sec 36 Act 8/97.

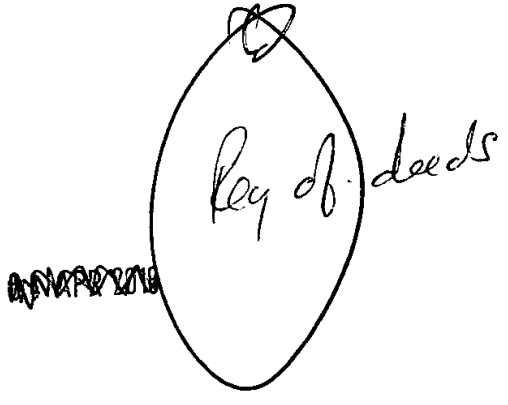
Within parties has been redesignated.
and is now known as

Para 1 - of 1298 ~~Black~~ BLACKHEATH

Para 2 - of 1299 BLACKHEATH.

Notification filed as I-4772/2015 LB.

2017-10-06
Deeds Office
CAPE TOWN



For further endorsements see page 10

And the appearer declared that his said principal had, on 2 JULY 2010, 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:

**The Trustees for the time being of
JIST FAMILY TRUST
Registration Number IT2414/2007**

Its Successors in Office or assigns, in full and free property

1. PORTION 361 OF THE FARM WIMBLEDON NUMBER 454
IN THE CITY OF CAPE TOWN
DIVISION STELLENBOSCH
PROVINCE OF THE WESTERN CAPE

IN EXTENT: 1 000 (ONE THOUSAND) SQUARE METRES

FIRST TRANSFERRED by Deed of Transfer Number T55223/1998 with General Plan SG Number 8427/1997 relating thereto and held by Deed of Transfer Number T56945/2008.

- A. SUBJECT to the conditions referred to in Deed of Transfer Number T21358/1951.
- B. SUBJECT FURTHER to the following conditions contained in Deed of Grant Number 19 issued on 3 December 1946 and registered on 1 March 1947, reading:
 - (a) The rights of the State as described in Section 31 and 34 of the Land Settlement Act, 1912, which said sections are fully set out in the Schedule marked "A" to this Crown Grant" which reads as follows:
 34. The State may at any time and in such manner, and under such conditions as it may think fit:-
 - (a) Construct or authorise the construction of dams or reservoirs upon any holding;

b



By virtue of Notarial deed no K000000976/2017
 dated. 22 September 2017 para 1 + 2
 herein shall be tied together and be
 regarded as ONE ppj to all intents
 and purposes, and that neither of the
 ppjis shall be sold or transferred otherwise
 than to same transferee.

As will more appear from notarial deed.

2017-10-06

Deeds Office
 CAPE Town.

Key. of. deeds.

- (b) Construct or authorise the construction upon, through or under any holding of water furrows, pipe lines, canals, and drains, and conduct or authorise the conducting of water there from or there over for the benefit of the public or any owner or occupier of neighbouring land;
- (c) Construct and work or authorise the construction and working, subject to the provisions of any law, or railway, roads, telegraph and telephone lines on or over any holding and take materials from any holding for the purposes of any such works.

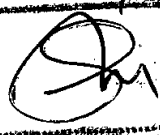
Compensate shall be paid to the lessee of the holding for any damages sustained by him by reason of the exercise of the powers of this Section.

Note the word "lessee" includes a "grantee", "holding" includes "land held under Crown Grant" and "mineral" includes "mineral products, mineral oils, metals, and precious stones" vide Section 2 of the Land Settlement Act, 1912.

- (d) The State shall at all times have the right of resuming the whole or a portion of the land hereby granted if required for public purposes, or outspan purposes on payment to the owner of such sum of money in compensation as may be mutually agreed upon by the parties concerned, or failing such agreement, as may be determined by arbitration;
- (e) A right of way in favour of the lessees and/or owner of the remaining holdings at Wimbledon by a convenient route to the nearest public road over the land hereby granted shall at all times be granted by the owner, who shall enjoy a similar right over the other holdings as detailed above, provided such rights are necessary in the opinion of the Minister of Lands. In the event of disagreement as the route of such right of way, the decision of the Minister of Lands shall be final and binding on all parties."

NOT SUBJECT to conditions B 31.1, 31.2 and 31.3 on pages 2 and 3 of Deed of Transfer Number T56945/2008 by virtue of Section 53 of the Mining Titles Registration Amendment Act 24 of 2003.

- C. SUBJECT FURTHER to the following conditions contained in Certificate of Registered Title Number T39843/1976, imposed by the Administrator of the Province of the Cape of Good Hope in terms of Section 9 of Ordinance Number 33 of 1934, Section 196 of Ordinance Number 15 of 1952, and Section 2 of Act 10 of 1944, when approving of the subdivision of Portion 23 and 24 of the farm Wimbledon Number 454:

VENTE MORTGAGE	
VR POT R. 6000 000,00	
000006743 / 2018	
04 APR 2018	REGISTRATEUR/REGISTRAR

1. The owner of this erf shall, without compensation, be obliged to allow electricity, telephone and television cables and/or wires and main and/or other waterpipes and the sewage and drainage, including stormwater of any other erf or erven to be conveyed across this erf, if deemed necessary by the local authority and in such manner and position as may from time to time be reasonably required. This shall include the right of access to the erf at any reasonable time for the purpose of constructing, altering, removing or inspecting any works connected with the above.
2. The owner of this erf shall be obliged, without compensation, to receive such materials or permit such excavation on the erf, as may be required to allow use of the full width of the street and provide a safer and proper slope to its bank owing to difference between the levels of the street as finally constructed and the erf, unless he elects to build retaining walls to the satisfaction of and within a period to be determined by the local authority.

D. SUBJECT FURTHER TO AND ENTITLED to the benefit of the servitude referred to in the endorsement dated 17th December 1976, on Deed of Transfer Number T21358/1951, which endorsement reads as follows:

"By Notarial Deed Number K1258/1976S dated 24th November 1976, the within property(ies) is/are subject and entitled to reciprocal servitudes of right-of-way for Railway Line Purposes, or and over the servitude areas set out in the said Notarial Deed and forming respectively portions of the properties set out therein, which includes the right of the Hume Companies and/or Blackheath, as defined therein, to construct the Railway Line along the Defined Route and the right to all parties therein, as owners of their respective properties, too use the Railway line along the defined Route subject to the conditions therein contained.

As will more fully appear from the said Notarial Deed."

E. SUBJECT FURTHER TO AND ENTITLED to the benefit of the servitude referred to in the endorsement dated 10th May 1977, on Deed of Transfer Number T21358/1951, which endorsement reads as follows

"By Notarial Deed of Servitude K392/1977S dated 25th April 1977 the servitude area as referred to and defined in Notarial Deed of Servitude Number K1258/1976S dated 24th November 1976 registered on 17th December 1976 over the within property is enlarged by the additional areas as depicted on the annexed Servitude Diagram Number 49/1977.

As will more fully appear from the said Notarial Deed."

2. PORTION 362 OF THE FARM WIMBLEDON NUMBER 454
IN THE CITY OF CAPE TOWN
DIVISION STELLENBOSCH
PROVINCE WESTERN CAPE

IN EXTENT: 1 000 (ONE THOUSAND) SQUARE METRES

FIRST TRANSFERRED by Deed of Transfer Number T 55224/1998 with General Plan SG No. 8427/1997 relating thereto and held by Deed of Transfer Number T56946/2008

- A. SUBJECT to the conditions referred to in Deed of Transfer Number T21358/1951.
- B. SUBJECT FURTHER to the following conditions contained in Deed of Grant Number 19 issued on 3 December 1946 and registered on 1 March 1947, reading:

(a) The rights of the State as described in Section 31 and 34 of the Land Settlement Act, 1912, which said sections are fully set out in the Schedule marked "A" to this Crown Grant" which reads as follows:

34. The State may at any time and in such manner, and under such conditions as it may think fit:-

(a) Construct or authorise the construction of dams or reservoirs upon any holding;

(b) Construct or authorise the construction upon, through or under any holding of water furrows, pipe lines, canals, and drains, and conduct or authorise the conducting of water there from or there over for the benefit of the public or any owner or occupier of neighbouring land;

(c) Construct and work or authorise the construction and working, subject to the provisions of any law, or railway, roads, telegraph and telephone lines on or over any holding and take materials from any holding for the purposes of any such works.

Compensate shall be paid to the lessee of the holding for any damages sustained by him by reason of the exercise of the powers of this Section.



GhostConvey 12.8.6.2

Note the word "lessee" includes a "grantee", "holding" includes "land held under Crown Grant" and "mineral" includes "mineral products, mineral oils, metals, and precious stones" vide Section 2 of the Land Settlement Act, 1912.

- (d) The State shall at all times have the right of resuming the whole or a portion of the land hereby granted if required for public purposes, or outspan purposes on payment to the owner of such sum of money in compensation as may be mutually agreed upon by the parties concerned, or failing such agreement, as may be determined by arbitration;

- (e) A right of way in favour of the lessees and/or owner of the remaining holdings at Wimbledon by a convenient route to the nearest public road over the land hereby granted shall at all times be granted by the owner, who shall enjoy a similar right over the other holdings as detailed above, provided such rights are necessary in the opinion of the Minister of Lands. In the event of disagreement as the route of such right of way, the decision of the Minister of Lands shall be final and binding on all parties."

NOT SUBJECT to conditions B 31.1, 31.2 and 31.3 on pages 2 and 3 of Deed of Transfer Number T56946/2008 by virtue of Section 53 of the Mining Titles Registration Amendment Act 24 of 2003.

C. SUBJECT FURTHER to the following conditions contained in Certificate of Registered Title Number T39843/1976, imposed by the Administrator of the Province of the Cape of Good Hope in terms of Section 9 of Ordinance Number 33 of 1934, Section 196 of Ordinance Number 15 of 1952, and Section 2 of Act 10 of 1944, when approving of the subdivision of Portion 23 and 24 of the farm Wimbledon Number 454:

1. The owner of this erf shall, without compensation, be obliged to allow electricity, telephone and television cables and/or wires and main and/or other waterpipes and the sewage and drainage, including stormwater of any other erf or erven to be conveyed across this erf, if deemed necessary by the local authority and in such manner and position as may from time to time be reasonably required. This shall include the right of access to the erf at any reasonable time for the purpose of constructing, altering, removing or inspecting any works connected with the above.

2. The owner of this erf shall be obliged, without compensation, to receive such materials or permit such excavation on the erf, as may be required to allow use of the full width of the street and provide a safer and proper slope to its bank owing to difference between the levels of the street as finally constructed and the erf, unless he elects to build retaining walls to the satisfaction of and within a period to be determined by the local authority.

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- D. SUBJECT FURTHER TO AND ENTITLED to the benefit of the servitude referred to in the endorsement dated 17th December 1976, on Deed of Transfer Number T21358/1951, which endorsement reads as follows:

"By Notarial Deed Number K1258/1976S dated 24th November 1976, the within property(ies) is/are subject and entitled to reciprocal servitudes of right-of-way for Railway Line Purposes, or and over the servitude areas set out in the said Notarial Deed and forming respectively portions of the properties set out therein, which includes the right of the Hume Companies and/or Blackheath, as defined therein, to construct the Railway Line along the Defined Route and the right to all parties therein, as owners of their respective properties, too use the Railway line along the defined Route subject to the conditions therein contained.

As will more fully appear from the said Notarial Deed."

- E. SUBJECT FURTHER TO AND ENTITLED to the benefit of the servitude referred to in the endorsement dated 10th May 1977, on Deed of Transfer Number T21358/1951, which endorsement reads as follows

"By Notarial Deed of Servitude K392/1977S dated 25th April 1977 the servitude area as referred to and defined in Notarial Deed of Servitude Number K1258/1976S dated 24th November 1976 registered on 17th December 1976 over the within property is enlarged by the additional areas as depicted on the annexed Servitude Diagram Number 49/1977.

As will more fully appear from the said Notarial Deed."



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

**The Trustees for the time being of
HENSJEN FAMILY TRUST
Registration Number IT195/1997**

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

**The Trustees for the time being of
JIST FAMILY TRUST
Registration Number IT2414/2007**

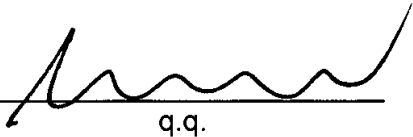
Its Successors in Office or assigns, now is and henceforth shall be entitled thereto, conformably to local custom, the State, however reserving its rights, and finally acknowledging the purchase price to be the sum of R1 625 110,00 (ONE MILLION SIX HUNDRED AND TWENTY FIVE THOUSAND ONE HUNDRED AND TEN 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.

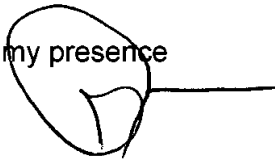
THUS DONE and EXECUTED at the Office of the REGISTRAR OF DEEDS at Cape Town on

25 NOV 2010

2010


_____ q.q.

In my presence



REGISTRAR OF DEEDS



