


110

Hickman Van Eeden Phillips
96 Van Riebeeck Road
Kuils River
Cape Town
Tel: 0219033106
Fax: 0219034772

Prepared by me


CONVEYANCER
J.P. VAN ZYL

VIR ENDOSSEMENTE KYK BLADSY
FOR ENDORSEMENTS SEE PAGE 

FEE
R. 650,00

T 000052640 / 2011

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

JACOBUS PETRUS VAN ZYL

appeared before me, the Registrar of Deeds Western Cape, at Cape Town, the said
appearer, being duly authorised thereto by a power of attorney signed at KUILS
RIVER on 16 AUGUST 2011 and granted to him/her by

QUADRICON CC
Registration Number 1986/016278/23

And the appearer declared that his/her principal had on 4 August 2011 truly and
legally sold by Private Treaty,

Page 1 of 8

DATA/CAPTURED
05 OCT 2011
ZAMULA-IBULANI

DATA / VERIFY
02 NOV 2011
MURIE LOBRANE

REDESIGNATION CAVEAT

The within properties have been re-designed as follows:-

Para 1 is now known **ERF 1317 BLACKHEATH**

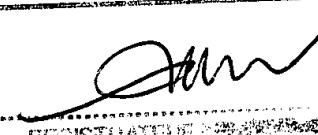
Para 2 is now known **ERF 1316 BLACKHEATH**

Vide I-4772/2015LG

DEEDS OFFICE
CAPE TOWN
DATE:

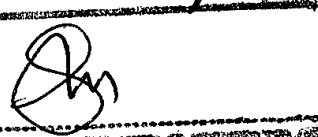

.....
REGISTRAR OF DEEDS

9

VERBIND MORTGAGED	
VIR FOR R <u>1500 000,00</u>	
B 000008048 / 2013	
2013 -03- 27	<small>REGISTRATEUR</small>

note

II

VERBIND MORTGAGED	
VIR FOR R <u>2 740 000,00</u>	
B 000007949 / 2019	
16 APR 2019	<small>REGISTRATEUR</small>

VIR ENDOSSEMENTE KYK BLADSY
FOR ENDORSEMENTS SEE PAGE 10

And that he/she in his/her capacity aforesaid, did, by 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 381 OF THE FARM WIMBLEDON NUMBER 454
IN THE CITY OF CAPE TOWN
DIVISION STELLENBOSCH
PROVINCE OF THE WESTERN CAPE

IN EXTENT: 934 (NINE HUNDRED AND THIRTY FOUR) SQUARE
METRES

FIRST TRANSFERRED by Deed of Transfer Number T92762/2001 with
General Plan Number 8427/1997 relating thereto and held by Deed of
Transfer Number T54733/2005.

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 3rd December 1946 and registered on 1st 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:

NOT SUBJECT to condition B 31.1, 2 and 3 on pages 2 and 3 of Deed of
Transfer Number T54733/2003, by virtue of Section 53 of the Mining Titles
Registration Amendment Act 24 of 2003

34. The State may at anytime and in such manner, and in 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 authorize the conducting of water therefrom 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 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 purpose of any such works.

Compensate shall be paid to the lessee of the holding for any damage 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 a Crown Grant" and "mineral" includes "mineral products, mineral oils, metals, and precious stones" vide Section 2 of the Land Settlement Act, 1912,

A Certificate of Mineral Rights Number 21/1947, was issued on the 1st March 1947, in respect of the Mineral Rights reserved above.

- (d) The State shall at all times have the right of resuming the whole or a portion of the land thereby granted if required for public purposes, for 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 lessee 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 to the route of such right of way, the decision of the Minister of Lands shall be final and binding on all parties."

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 and 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 safe and proper slope to its bank owing to difference between the

levels of the street as finally constructed and the erf, unless he elects to build retaining walls to the satisfaction of and within a period to be determined by the local authority.

- D. SUBJECT 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 or right-of-way for Railway Line Purposes, on 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 to 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, to use the Railway line along the defined Route subject to the conditions therein contained.

As will more fully appear from said Notarial Deed."

- E. SUBJECT 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 Number 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 491/1977.

As will more fully appear from said Notarial Deed."

2. PORTION 380 OF THE FARM WIMBLEDON NUMBER 454
IN THE CITY OF CAPE TOWN
DIVISION STELLENBOSCH
PROVINCE OF THE WESTERN CAPE

IN EXTENT: 881 (EIGHT HUNDRED AND EIGHTY ONE) SQUARE METRES

FIRST TRANSFERRED by Deed of Transfer Number T92762/2001 with General Plan Number 8427/1997 relating thereto and held by Deed of Transfer Number T54733/2005.

- 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 3rd December 1946 and registered on 1st 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:

NOT SUBJECT to condition B 31.1, 2 and 3 on pages 2 and 3 of Deed of Transfer Number T54733/2003, by virtue of Section 53 of the Mining Titles Registration Amendment Act 24 of 2003

34. The State may at anytime and in such manner, and in 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 authorize the conducting of water therefrom 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 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 purpose of any such works.

Compensate shall be paid to the lessee of the holding for any damage 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 a Crown Grant" and "mineral" includes "mineral products, mineral oils, metals, and precious stones" vide Section 2 of the Land Settlement Act, 1912,

A Certificate of Mineral Rights Number 21/1947, was issued on the 1st March 1947, in respect of the Mineral Rights reserved above.

- (f) The State shall at all times have the right of resuming the whole or a portion of the land thereby granted if required for public purposes, for 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;
- (g) A right of way in favour of the lessee 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 to the route of such right of way, the decision of the Minister of Lands shall be final and binding on all parties."

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 and 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 safe and proper slope to its bank owing to difference between the levels of the street as finally constructed and the erf, unless he elects to build retaining walls to the satisfaction of and within a period to be determined by the local authority.

D. SUBJECT 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 or right-of-way for Railway Line Purposes, on 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 to 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, to use the Railway line along the defined Route subject to the conditions therein contained.

As will more fully appear from said Notarial Deed."



E. SUBJECT 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 Number 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 491/1977.

As will more fully appear from said Notarial Deed."

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

QUADRICON CLOSE CORPORATION

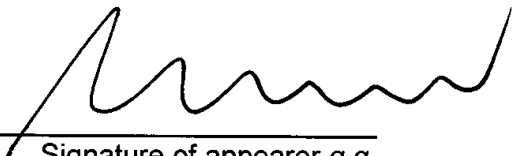
heretofore had to the premises, did, in consequence also acknowledge it to be entirely dispossessed of, and disentitled to, the same; and that, by virtue of these presents, the said

The Trustees for the time being of JIST FAMILY TRUST

its successors in office or assigns, now are and henceforth shall be entitled thereto, conformably to local customs; the State, however, reserving its rights, and finally acknowledging that the purchase price is the amount of R1 488 000.00 (ONE MILLION FOUR HUNDRED AND EIGHTY EIGHT THOUSAND RAND).

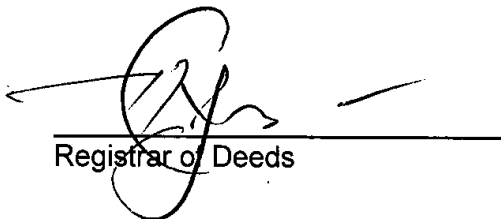
IN WITNESS WHEREOF I, the said Registrar, together with the appearer, have subscribed to these presents, and have caused the seal of office to be affixed thereto.

THUS DONE AND EXECUTED at the Office of the Registrar of Deeds Western Cape, at Cape Town on 22 SEP 2011



Signature of appearer q.q.

In my presence



Registrar of Deeds

