

1165 CA

ZONING CERTIFICATE

DURBAN UNICITY METROPOLITAN COUNCIL CENTRAL OPERATION ENTITY DEVELOPMENT AND PLANNING UNIT

TOWN PLANNING SCHEME IN COURSE OF PREPARATION TO BE COMPLETED
BY ENQUIRER: RECORD OF PERSONAL ENQUIRY

SITE PARTICULARS

DESCRIPTION: ERF 5086 of the farm DURBAN
NET SITE AREA: 3,542.00
ADDRESS: 73 CHELMSFORD ROAD in BULWER

GENERAL LAND USE MANAGEMENT INFORMATION

ZONING:	General Residential 1
PLOT AREA RATIO:	1.0:1,
COVERAGE:	40%, Hotel - 50%, Place of Instruction -20%, East of Prospect Hall - not more than 10% above the 3rd storey.
MIN. BUILDING LINE:	7.5m, Swimming Pool - 1.0m, For Umgani Park refer to Clause 18(6)(a) for details regarding the broken red line,
MIN. SIDE SPACE:	1.2m for each floor to a maximum of 15.0m, minimum 3.0m, For a Dwelling House, Pair of Maisonettes, Extended Residential Building - aggregate 5.0m minimum 2.0m,
MIN. REAR SPACE:	1.2m for each floor to a maximum of 15.0m, minimum 5.0m, For a Dwelling House, Pair of Maisonettes, Extended Residential Building - 5.0m,
MAX. PERMITTED HEIGHT:	n/a unless as otherwise indicated on the map.
PARKING REQUIREMENTS:	One bay per unit, Dwelling House + Ancillary Unit - 2 bays, Hotel and other residential buildings - 2 bays per 3 rooms, Offices - 1 bay per 25m ² . For loading bays refer to Clause 12(3)(a),
NO. OF UNITS:	Number of dwelling units calculated by dividing the site area by 90, One Dwelling House or one pair of Maisonettes per 900m ² ,
CONSENT	Dwelling House, Ancillary Unit when ancillary to a Dwelling House, Maisonettes, Residential Building, Institution, Cluster Housing Development,
SPECIAL CONSENT	Agriculture, Licensed Hotel, Parking Garage, Place of Instruction, Place of Worship, Social Hall, Creche, Special Building or use, Offices in terms of Clause 7, Any other use authorised in terms of Clause 6bis,

DISCLAIMER:

The controls given above are those specific to the land use zone in which the property falls. However, attention is drawn to the Town Planning Scheme Regulations where, in certain cases, additional requirements can be called for at the discretion of the Executive Director (Development and Planning) and no information recorded above can be taken as comprehensive. Specific detailed information can only be given in respect of an application after it has been lodged showing the detailed proposals of the development.

REMARKS:

- Note1:** This information has been compiled at the above date, but as the Town Planning Scheme is in course of preparation it may be amended from time to time.
- Note2:** The Information given is in respect of Land Use Management requirements only and must not be construed as indicating requirements in terms of the Central Operation Entity's By-Laws, the National Building Regulations or any restrictive conditions in Title Deeds.
- Note3:** For further information please contact submissions@cesu.durban.gov.za Tel. No.: (031) 300 2048

Craig Henkel & Associates
Ground Floor
Richmond House
Fourways Office Park
Cnr Roos & Fourways Boulevard

Prepared by me



CONVEYANCER
HENKEL C.G

FEES	
Stamp Duty.....	
Reg.....	R1500-00
Waiver.....	
C/M Bond.....	

25 FEB 2006

T 06 08052

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

~~CRAIG GERALD HENKEL~~ RUSSELL JOHN MERTON

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 FOURWAYS on 22 August 2005 granted to him by

KINGSWAY HOSPITAL (PROPRIETARY) LIMITED
No. 1971/007473/07

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And the appearer declared that his said principal had, on 19 August 2005, truly and legally sold by , and that he, the said Appearer, in his capacity aforesaid, did, by virtue of these presents, cede and transfer to and on behalf of:

NETCARE PROPERTY HOLDINGS (PROPRIETARY) LIMITED
No. 1994/005662/07

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

1. PORTION 16 (OF 6) OF ERF 5081 DURBAN,
Registration Division FU,
Province of KwaZulu-Natal;

IN EXTENT 927 (NINE HUNDRED AND TWENTY SEVEN) SQUARE METRES

FIRST REGISTERED BY CERTIFICATE OF REGISTERED TITLE NO. 8451/1952 WITH DIAGRAM ANNEXED THERETO AND HELD BY DEED OF TRANSFER NO. T18104/2001

THIS PROPERTY IS TRANSFERRED subject to the following conditions:-

- (a) Subject to the terms and conditions in so far as still in force and applicable contained in the original Government Grant No. 1737, dated 27th July 1855.
- (b) Subject to a 1.89 metres sewer and drain servitude in favour of transferred subdivisions of Lot 1 as created in the relevant subdivisional Deeds of Transfer.
- (c) With the benefit of a 1.89 metres sewer and drain servitude over transferred subdivisions of Lot 1 as created in the relevant subdivisional Deeds of Transfer.
- (d) Subject to the following special conditions as created in Deed of Transfer No. 1881/1907 dated the 26th November, 1907, viz:
 1. That in the case of transfer of subdivisions of the said land there shall be erected upon every subdivision a building not less in value than R300,00 and failing the erection of the said buildings, rates will be levied for same on that basis in addition to the value of the land, in the same way as though such buildings were actually erected.
 2. That in the event of the land being subdivided a plan must first be submitted for the approval of the vendors (i.e. the Town Council of the Borough of Durban) which Plan must provide for every subdivision having a frontage to a roadway at least thirty feet wide, with a back lane at least 4.72 metres wide. All buildings erected must be 3.15 metres back from such new road boundary and no buildings other than outbuildings will be permitted facing the back line.
 3. That no transfer is allowed of any subdivision the area of which shall be contrary to the provisions of any existing or future sanitary or building bye-laws.

2. ERF 5086 DURBAN,
REGISTRATION DIVISION FU, X
Province of KwaZulu-Natal;

IN EXTENT 3541 (THREE THOUSAND FIVE HUNDRED AND FORTY ONE) SQUARE METRES

FIRST TRANSFERRED BY DEED OF TRANSFER NO. 459/1909 WITH DIAGRAM ANNEXED AND HELD BY DEED OF TRANSFER NO. T18103/2001

SUBJECT to the following conditions:

- (a) Subject to all the terms and conditions of the Original Government Grant No. 1737, dated 27th July, 1855, as are still in force and applicable.
- (b) Subject to the following special condition created in the said Deed of Transfer No. 459/1909, dated 17th April, 1909, namely:

"There shall be erected on the said Lot 5 or any subdivision of same, a building to the value of at least R300 in each case; and failing the erection of said buildings rates will be levied for same on that basis in addition to the value of the land, in the same way as though such buildings were actually erected."

3. PORTION 2 OF ERF 5081 DURBAN,
Registration Division FU, X
Province of Kwazulu Natal;

IN EXTENT 630 (SIX HUNDRED AND THIRTY) SQUARE METRES


FIRST TRANSFERRED BY DEED OF TRANSFER NO. 3908/1926 WITH DIAGRAM ANNEXED AND HELD BY DEED OF TRANSFER NO. T18100/2001

SUBJECT to the following conditions:

- a. Subject to the whole terms and conditions in so far as still in force and applicable contained in the original Government Grant No. 1737, dated 27th July, 1855, of said property
- b. Subject to the servitude One comma eight three (1,83) metres wide for sewerage and drainage in favour of adjoining owners as shown on the diagram of the said Sub B, created in Deed of Transfer No. 3908/1926, dated 2nd October, 1926.
- c. Subject to the following special conditions as contained in Deed of Transfer NO. 1881/1907, dated 26th November, 1907, namely:-
1. That in the case of transfer of subdivisions of the said land there shall be erected upon every subdivision a building not less in value than R300.00, and failing the erection of the said buildings, rates will be



levied for same on that basis, in addition to the value of the land, in the same way as though such buildings were actually erected.

2. That in the event of the land being subdivided, a plan must first be submitted for the approval of the vendor (i.e. the Town Council of the Borough of Durban) which plan must provide for every subdivision having a frontage to a roadway at least Nine comma one four (9,14) metres wide, with a back lane at least 4,57 metres wide. All buildings erected must be 3,05 metres back from such new road boundary and no buildings other than outbuildings will be permitted facing the back lane.
3. That no transfer is allowed of any subdivision the area of which shall be contrary to the provisions of any existing or future sanitary or building bye-laws.
4. ERF 5115 DURBAN,
Registration Division FU,
Province of KwaZulu-Natal; 

IN EXTENT 4,0142 (FOUR COMMA ZERO ONE FOUR TWO) SQUARE METRES

FIRST TRANSFERRED BY DEED OF TRANSFER NO. 1398/1909 WITH DIAGRAM ANNEXED THERETO AND HELD BY DEED OF TRANSFER NO. T18105/2001

THIS PROPERTY IS TRANSFERRED:

- (a) Subject to such of the terms and conditions of the original Government Grant No. 1737 dated 27th July, 1855, insofar as now applicable.
- (b) Subject to the following condition created in said Deed of Transfer No. 1398/1909 dated 3rd November, 1909, reading as follows:

"Subject nevertheless to the express reservation of the right of the Durban Corporation of making any roads through the said piece of land for the public convenience or good and also excepting and always reserving unto the said Corporation the exclusive right to all minerals found thereon and the privilege such privilege (without compensation to the said Transerees their Successors in Office or Assigns) as such reservations are contained in the Original Lease of the said Lot 3 between the said Corporation and Orlando William Cato dated 12th July, 1858".

- (c) Subject to the following special conditions as created in said Deed of Transfer NO. 1398/1909, namely:-
 - (1) In the case of transfer of Subdivision of the said Land there shall be erected upon every Subdivision a building not less in value than R300,00, and rates will be levied accordingly in addition to the value of the land.
 - (2) No transfer is allowed of any Subdivision the area of which shall be contrary to the provisions of any existing or future sanitary or building bye-laws.



5. PORTION 4 OF ERF 5085 DURBAN,
Registration Division FU,
Province of KwaZulu-Natal;

IN EXTENT 1123 (ONE THOUSAND ONE HUNDRED AND TWENTY
THREE) SQUARE METRES

FIRST REGISTERED BY CERTIFICATE OF REGISTERED TITLE NO.
601/1983 WITH DIAGRAM ANNEXED THERETO AND HELD BY DEED
OF TRANSFER NO. T18105/2001

THIS PROPERTY IS TRANSFERRED:

- (a) Subject to the condition (a) referred to in paragraph 4 above.
- (b) Subject to the following special conditions created in Deed of Transfer NO. T459/1909, viz:
1. There shall be erected on the said Lot 4 buildings to the value of at least R500,00 per 4047 square metres or in case of subdivision of smaller areas, to the value of at least R300,00 on each subdivision and failing the erection of the said buildings rates will be levied for same on that basis in addition to the value of the land in the same way as though such buildings were actually erected.
 2. In the event of the said Lot 4 being subdivided a plan must first be submitted for the approval of the Town Council of the Borough of Durban, which plan must provide for every subdivision having a frontage to a roadway at least 9.14 metres wide with a back lane at least 4,57 metres wide. All buildings erected must be 3,05 metres back from such new road boundary and no buildings other than outbuildings will be permitted facing the back lane.
 3. No transfer is allowed of any subdivision the area of which shall be contrary to the provisions of any existing or future sanitary or building bye-laws.

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

KINGSWAY HOSPITAL (PROPRIETARY) LIMITED
No. 1971/007473/07

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

NETCARE PROPERTY HOLDINGS (PROPRIETARY) LIMITED
No. 1994/005662/07


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 R181 392 249,87 (ONE HUNDRED AND EIGHTY ONE MILLION THREE HUNDRED AND NINETY TWO THOUSAND TWO HUNDRED AND FORTY NINE RAND AND EIGHTY SEVEN CENTS).

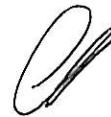
IN WITNESS WHEREOF, I the said Registrar, together with the Appearer, have subscribed to these presents, and have caused the Seal of Office to be affixed thereto.

THUS DONE and EXECUTED at the Office of the Registrar of Deeds at Pietermaritzburg on
27 FEB 2006


q.q.

In my presence


REGISTRAR OF DEEDS

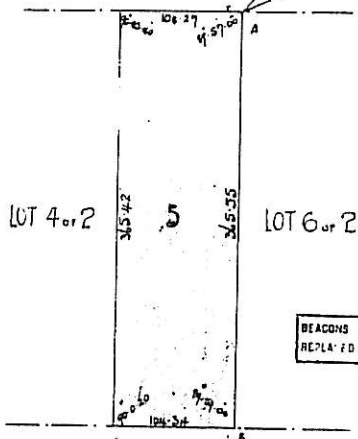


This diagram is intended for purposes of transfer

179/1001
179/1002

S.G.O.
Sub Vol. 39 fol. 35
1/10th of
Ex/lot D

CHELMSFORD ROAD



Reg. Div.
FU

BEACONS A, B & C
REPLACED BEACONS
IDE S.R. NO.
17/1979

FOR E DOPPEMENTS, etc., SEE BACK
New LOT 8 or 2

Scale 0 50 100 150 200 feet

Now known as:
 Lot 5 of 2 Block F of the Town Lands of Durban N° 1737
 The above Diagram represents the figure and extent of Acres 3. Road
20.026 Perches of Land, being Lot 5 or 2
 of Block F of the Town Lands of the Borough of Durban,
 Colony of Natal, having been resurveyed for Conversion from Leasehold into
 Freehold, such Freehold Titles being issued under the provisions of Act 37, 1906.

Bounded NE by LOT 6 or 2
 SE by LOTS 8 + 9 or 2
 SW by LOT 4 or 2
 NW by CHELMSFORD ROAD

Surveyed by me
Chas. S. Jenkins
 Sworn Land Surveyor.

DEC 1907

19057

SV 319 F 35

I certify that the Property now known as Lot 50-2
Block F was formerly the Leasehold propert
as Lot 50A D of Lot 2 Block F
in Deed of Cession and Transfer No. 17,191

Chas. E. J.
Sworn Land Su

VIDE S.R. NO.
1624/1994