

CLUVER MARKOTTER

117

Prepared by me

FEE

R.160-00

VIR ENDOSSEMENTE KYK BLADSY
FOR ENDORSEMENTS SEE PAGE 24


CONVEYANCER

L. PECORARO

CERTIFICATE OF CONSOLIDATED TITLE

IN TERMS OF SECTION 40(3) OF ACT 47 OF 1937

T061665/10

WHEREAS

BABYLONS TOREN (PROPRIETARY) LIMITED

Registration Number 2006/035299/07

has applied for the issue to BABYLONS TOREN (PROPRIETARY) LIMITED of a Certificate of Consolidated Title under the provisions of Section 40(3) of the Deeds Registries Act 47 of 1937;

24

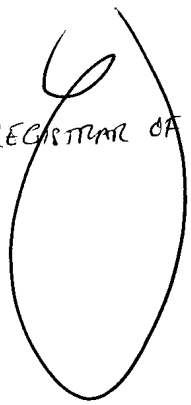
T 61665 / 2010

K 1194.11 S

BY DEED OF SERVICITUDE NO. ~~1194.11 S~~
 THE WITHIN MENTIONED PROPERTY IS ENTITLED
 TO A WATER PIPELINE SERVICITUDE 4 METRES
 WIDE OVER PORTION 1 OF THE FARM NO. 1348
 MEASURING 49,5289 HA HELD BY DEED
 OF TRANSFER NO. T 54326 / 09, WHICH
 SERVICITUDE IS DEPICTED BY THE LINE A B
 ON DIAGRAM S.G. NO. 4691 / 2009, WITH
 ANCILLARY RIGHTS AND OBLIGATIONS.

AS WILL MORE FULLY APPEAR FROM SAID
 NOTARIAL DEED.
 2011-11-28
 DEEDS OFFICE
 CAPE TOWN.

REGISTRAR OF DEEDS.



VIR ENDOSSEMENTE KYK BLADSY
 FOR ENDORSEMENTS SEE PAGE 25

For Information Only

26

T 61665/2010

BY DEED OF SERVITUDE N° K000001136/2011
 THE WITHIN MENTIONED PROPERTY IS ENTITLED
 TO A SERVITUDE PUMPHOUSE AREA
 MEASURING 78 m² OVER THE REMAINDER
 OF THE FARM N° 1348 MEASURING
 25,3217 HA HELD BY DEED OF TRANSFER
 N° T 76295/2007, WHICH SERVITUDE
 AREA IS REPRESENTED BY THE FIGURE
 GH LEFT BANK OF BERG RIVER J
 LEFT BANK OF BERG RIVER KL ON
 DIAGRAM S.B. N° 4690/2009, WITH
 AN AUXILIARY RIGHT AND OBLIGATIONS
 AS WILL MORE FULLY APPEAR FROM SAID
 NOTARIAL DEED.

2011-11-28
 DEEDS OFFICE
 CAPE TOWN

REGISTRAR OF DEEDS



For Information Only

AND WHEREAS

BABYLONS TOREN (PROPRIETARY) LIMITED
Registration Number 2006/035299/07

is the registered owner of:

1. THE FARM No 1736 situated in the DRAKENSTEIN Municipality, Division PAARL, Province of the WESTERN CAPE

HELD by Certificate of Consolidated Title Number T 70698/2008

AND

2. PORTION 5 (a portion of Portion 3) of the Farm KLEIN BABYLONSTOREN No 1380 situated in the DRAKENSTEIN Municipality, Division PAARL, Province of the WESTERN CAPE

HELD by Deed of Transfer Number T 061664 / 10 / 2010

which pieces of land have been consolidated into the land hereinafter described;

R

NOW THEREFORE, in pursuance of the provisions of the said Act, I, the Registrar of Deeds at CAPE TOWN, do hereby certify that the said

BABYLONS TOREN (PROPRIETARY) LIMITED
Registration Number 2006/035299/07

its Administrators or Assigns, is the registered owner of

THE FARM No 1740 situated in the DRAKENSTEIN Municipality, Division PAARL, Province of the WESTERN CAPE

MEASURING: 193,6634 (ONE HUNDRED AND NINETY THREE COMMA SIX THREE FOUR) Hectares

AS WILL more fully appear from Diagram S.G. No 373/2009.

I. **IN RESPECT** of the figure **F¹ A B C D E x K L M** excluding the figures **k j h n m l** and **z y E x d¹ s r q p** and **A a¹ b¹ c¹** on the hereto annexed **Diagram S.G. No 373/2009:**

A. **SUBJECT** to the conditions contained in Deed of Transfer No T 13199/1919.

B. **SUBJECT FURTHER** to the terms of the Notarial Deed of Servitude dated 19 January 1931 annexed to Deed of Transfer No T 13199 dated 14 November 1919, a reference to which, dated 23 November 1932, is endorsed thereon, which reads as follows:

"By Notarial Deed dated 19.1.1931 an agreement relating to certain water rights referred to in copy of contract annexed thereto, and to furrows, pipe lines and wire has been entered into by the owners of, and only in so far as it affects the properties conveyed by Paras 1 and 2 of Transfer No 129 dd. 10 Jan 1917 and by

Para 1 to 4 hereof and by said agreement the owners of the properties conveyed by para 3 of said Transfer No T 129 and by Para 5 hereof have disclaimed all rights to certain water subject to conditions as will more fully appear on reference to said Notarial Deed annexed hereto."

- C. SUBJECT FURTHER to the conditions of the endorsement dated 3 September 1981 endorsed on said Deed of Transfer No T 4653/1951, which endorsement reads as follows:

"By Notarial Deed No K 712/1981 S dated 28.9.1979, the within mentioned property – Para 1 – is subject to the right of a pipe leading servitude the centre line of which is depicted by the line u e f g on servitude diagram 3995/1974 thereto annexed. The above rights and servitudes are in favour of (i) Klein Simonsvlei No 777 and Lot B of the farm called "Signal Hill" both held by T 5618/1952. (ii) Portion 15 of Simonsvlei No 791 held by T 26654/1966. (iii) Portion 9 of Simonsvlei No 791 held by T 6780/1961. (iv) Portion 14 of the farm Simonsvlei No 791 held by T 20116/1960. (v) Portion 1 of Stellengift No 784 held by T 29879/1975. (vi) Klein Babylons Toren No 1237 held by CCT 26725/1974.

Para 1 is subject to the right of a pipe leading servitude, the centre line of which is depicted by the line a b t on diagram 3995/1974 thereto annexed in favour of Klein Babylons Toren No 1237 held by CCT 26725/1974.

With ancillary rights and subject to conditions as will more fully appear from said Notarial Deed.

Which servitude forms part of the servitude of which the centre line is indicated by the dotted line A g f e d a on Diagram S.G. No 373/2009.

II. **IN RESPECT of the figures z y E x d¹ s r q p and A a¹ b¹ c¹ on the hereto annexed Diagram S.G. No 373/2009:**

- A. SUBJECT to the conditions contained in Deed of Transfer No T 13199/1919.
- B. SUBJECT FURTHER to the terms of the Notarial Deed of Servitude dated 19 January 1931 annexed to Deed of Transfer No T 13199 dated 14 November 1919, a reference to which, dated 23 November 1932, is endorsed thereon, which condition is more fully set out in paragraph I.B above.
- C. SUBJECT FURTHER to the conditions of the endorsement dated 3 September 1981 endorsed on said Deed of Transfer No T 4653/1951, which endorsement reads as follows:

"By Notarial Deed No K 712/1981 S dated 28.9.1979, the within mentioned property – Para 2 – is subject to the right of a pipe leading servitude the centre line of which is depicted by the line w u on servitude diagram 3995/1974 thereto annexed. The above rights and servitudes are in favour of (i) Klein Simonsvlei No 777 and Lot B of the farm called "Signal Hill" both held by T 5618/1952. (ii) Portion 15 of Simonsvlei No 791 held by T 26654/1966. (iii) Portion 9 of Simonsvlei No 791 held by T 6780/1961. (iv) Portion 14 of Simonsvlei No 791 held by T 20116/1960. (v) Portion 1 of Stellengift No 784 held by T 29879/1975. (vi) Klein Babylons Toren No 1237 held by CCT 26725/1974.

Para 2 is subject to the right of a pipe leading servitude from point V on diagram 3995/1974 thereto annexed all along and parallel with the Klappmuts-Simondium road up to the point where it crosses the boundary line P N on said diagram, in favour of the aforementioned properties (i), (ii), (iii), (iv) and (v). Para 2 is subject to the right of a pipe leading servitude, the centre of which is depicted by the line t o v on diagram 3995/1974 thereto annexed in favour of Klein Babylons Toren No 1237 held by CCT 26725/1974.

With ancillary rights and subject to conditions as will more fully appear from said Notarial Deed.

Which centre line of the servitude is indicated by the dotted line c d e f g on Diagram S.G. No 373/2009.

III. IN RESPECT of the figure k j h n m l on the hereto annexed Diagram S.G. No 373/2009:

- A. SUBJECT to the conditions contained in Deed of Transfer No T 13199/1919.
- B. SUBJECT FURTHER to the terms of the Notarial Deed of Servitude dated 19 January 1931 annexed to Deed of Transfer No T 13199 dated 14 November 1919, a reference to which, dated 23 November 1932, is endorsed thereon, which condition is more fully set out in paragraph I.B above.

IV. IN RESPECT of the figure A B C D E x L M F¹ on the hereto annexed Diagram S.G. No 373/2009:

- A. SUBJECT, by virtue of Notarial Deed of Servitude No K 285/1994S dated 21 February 1994 (and registered on 21 March 1994), to the following servitudes:
- I. A PUMPSTATION-SERVITUDE AREA 58 square metres in extent, as depicted by the figure A G linkerwal van Bergrivier, C D E on Servitude Diagram No 4723/1993, annexed to said Notarial Deed together with certain ancillary rights as will more fully appear from said Notarial Deed; and

- P
- II. Three PIPELINE SERVITUDE AREAS, 2 metre wide, the centre lines of which are depicted by the lines D F G H J K and L M and N P Q on said Servitude Diagram No 4723/1993; and
 - III. The right to an underground electricity cable to convey electricity as will more fully appear from said Notarial Deed; and
 - IV. The right to the joint use of the existing SERVITUDE ROAD as will more fully appear from said Notarial Deed; and

Together with certain ancillary rights and special conditions as will more fully appear from said Notarial Deed over

FARM No 1348 situated in the Division PAARL
MEASURING: 81,8896 Hectares
HELD by Certificate of Consolidated Titel No T 8306/1983.

B. BY VIRTUE of Notarial Deed of Servitude No K 147/1998S dated 25 July 1997 the withinmentioned property is entitled to the following servitudes, as will more fully appear from Deed of Transfer No T 34920/2007, namely:

1. The right to a pipeline servitude 2 metres wide, the centre line of which is depicted by the line H J G on the annexed Servitude Diagram No 4722/1993; and
2. The right to a storage dam servitude area, measuring 3,2211 ha which is depicted by the figure A B C D E F G on the annexed Servitude Diagram No 4722/1993 and the following servitudes with compliant rights, namely
3. The right to a pump station servitude area, within the aforementioned storage dam servitude area en as near as practically possible to beacon E on the annexed Servitude Diagram No 4722/1993, together with the right to erect a pump station with suction pipe and accessories therein in order to withdraw the water to which the mentioned remainder is entitled to from the storage dam; and to transfer the same

4. The right to a further pipeline servitude area, 2 metres wide, the centre line of which is depicted by the line E K L M N on the annexed Servitude Diagram No 4722/1993 together with the right to install an an underground pipeline therein in order to convey water from the storage dam to the said Remainder

over Portion 2 of the Farm Babylons Toren No 1268, measuring 173,4240 ha and held by T 88439/1993.

(As will more fully appear from said Notarial Deed).

- C. BY VIRTUE of Notarial Deed of Servitude No K 590/2007 the right is granted to the registered owner of Portion 2 of the Farm Babylonstoren No 1268, Drakenstein Municipality, Division Paarl, Province of the Western Cape, to cancel the pipeline servitude area as referred to in K147/1998 S depicted by the lines HJG and EKLMN on Servitude Diagram No 4722/1993 and the pump station servitude area, near beacon E on said servitude diagram, to amend the route of the pipeline and pump station and to grant a new servitude area over Portion 2 of the Farm Babylonstoren No 1268, Drakenstein Municipality, Division Paarl, Province of the Western Cape, to the registered owner of The Remainder of the Farm Babylonstoren No 1268, Drakenstein Municipality, Division Paarl, Province of the Western Cape, as will more fully appear from Deed of Transfer No T 34920/2007.
- D. BY VIRTUE of Notarial Deed of Servitude No K 591/2007 S the withinmentioned property is entitled to a Borehole Servitude, 2 metres wide in diameter and a pipeline servitude, 2 (two) metres wide, over Portion 2 of the Farm Babylons Toren No 1268, in the Drakenstein Municipality, Division Paarl, Province of the Western Cape, Measuring: 173,4240 (One Hundred and Seventy Three Comma Four Two Four Zero) hectares, held by Deed of Transfer No T 34919/2007, the centre line of which Borehole Servitude Area is depicted by Point A on Diagram S.G. No 850/2007, and the centre line of which servitude pipeline is depicted by the lines A B C D E on Diagram S.G. No 850/2007, with ancillary rights and obligations, as will more fully appear from Deed of Transfer No T 34920/2007.

“By Notarial Deed dated 193131931, an agreement relating to certain water rights referred to in copy of contract annexed thereto, and to furrows, pipe lines and weir has been entered into by the owners of, and only in so far as it affects the properties conveyed by Paras. 1 and 2 of Transfer no 129 dd. 10 Jan. 1917 and by paras 1 to 4 hereof and by said agreement the owners of the properties conveyed by Para 3 of said Transfer no 129 and by Para 5 hereof have disclaimed all rights to certain water subject to conditions as will more fully appear on reference to said Notarial Deed annexed hereto.”

VI. IN RESPECT of the figure t u J K d¹ v on the hereto annexed Diagram S.G. No 373/2009:

- A. SUBJECT to the conditions referred to in Deed of Transfer No T 13199/1919.
- B. SUBJECT FURTHER to the terms of the Notarial Deed of Servitude dated 19 January 1931 attached to Deed of Transfer No T 13199/1919, a reference to which, dated 23 November 1932, is endorsed thereon, which reads as follows:

“By Notarial Deed dated 19.1.1931, an agreement relating to certain water rights referred to in copy of contract annexed thereto, and to furrows, pipe lines and weir has been entered into by the owners of, and only in so far as it affects the properties conveyed by Paras. 1 and 2 of Transfer No 129 dd. 10 Jan. 1917 and by paras 1 to 4 hereof and by said agreement the owners of the properties conveyed by Para 3 of said Transfer No 129 and by Para 5 hereof have disclaimed all rights to certain water subject to conditions as will more fully appear on reference to said Notarial Deed annexed hereto.”

VII. IN RESPECT of the figure E v t d¹ x on the hereto annexed Diagram S.G. No 373/2009:

- A. SUBJECT to the conditions referred to in Deed of Transfer No T 13199/1919.
- B. SUBJECT FURTHER to the terms of the Notarial Deed of Servitude dated 19 January 1931 attached to Deed of Transfer No T 13199/1919, a reference to which, dated 23 November 1932, is endorsed thereon, which reads as follows:

"By Notarial Deed dated 19.1.1931, an agreement relating to certain water rights referred to in copy of contract annexed thereto, and to furrows, pipe lines and weir has been entered into by the owners of, and only in so far as it affects the properties conveyed by Paras. 1 and 2 of Transfer No 129 dd. 10 Jan. 1917 and by paras 1 to 4 hereof and by said agreement the owners of the properties conveyed by Para 3 of said Transfer No 129 and by Para 5 hereof have disclaimed all rights to certain water subject to conditions as will more fully appear on reference to said Notarial Deed annexed hereto."

VIII. IN RESPECT of the figure x E F G H J K on the hereto annexed Diagram S.G. No 373/2009:

- A. SUBJECT to the following conditions contained in Certificate of Registered Title No T 15084/2004 imposed by the District Road Engineer in terms of Section 11(6) of Act 21/1940 when approving of the subdivision, which conditions read as follows:

1. The property may not be further subdivided without the written approval of the Controlling Authority as defined in Act 21/1940.

R

2. Not more than one dwelling house together with such outbuildings as are ordinarily required to be used in connection therewith shall be erected on the property except with the written approval of the Controlling Authority as defined in Act 21/1940.
3. No store or place of business whatever may be opened or conducted on the property without the written approval of the Controlling Authority as defined in Act 21/1940.
4. No building or structure whatsoever shall be erected within a distance of 95 metres from the centreline of Main Road 205 and Divisional Road 1099 without the prior written approval of the Controlling Authority as defined in Act 21/1940.

B. SUBJECT to the following condition contained in the Deed of Sale dated 8th September 2008 entered into by and between the parties hereto, in favour of the Remainder of Portion 1 of the Farm No. 1677, in the Drakenstein Municipality, Division Paarl, Province Western Cape, in extent 56,2404 (Fifty Six comma Two Four Nil Four) Hectares, (hereinafter called the "Remainder"), as will more fully appear from Deed of Transfer No T 70697/2008, namely:

The property herein transferred will not be entitled to any water rights held by the said Remainder, which water rights are reserved for the sole benefit of the said Remainder.

C. SUBJECT FURTHER to the conditions imposed by the Department of Transport and Public Works in terms of Section 11(6) of Act 21 of 1940 when approving of the subdivision, as will more fully appear from Deed of Transfer No T 70697/2008, namely:

- "a. slegs die bestaande hooftoegang by kilometermerk 6.55 mag as die enigste toegang gebruik word om toegang te verkry na Plaas 1677;

- k. die grond mag nie verder onderverdeel of gekonsolideer word sonder die skriftelike goedkeuring van die Beherende Gesag soos omskryf in Wet 21/1940 nie;
- l. nie meer as een woonhuis saam met sodanige buitegeboue as wat onder gewone omstandighede nodig is om in verband daarmee gebruik te word, mag sonder die skriftelike goedkeuring van die Beherende Gesag soos omskryf in Wet 21/1940 opgerig word nie;
- m. geen gebou of enige bouwerk van watter aard ook al mag op die grond binne 'n afstand van 95 meter van die middellyn van Hoofpad 205 sonder die skriftelike goedkeuring van die Beherende Gesag soos omskryf in Wet 21/1940 opgerig word nie."

IX. IN RESPECT of the figure E¹ M C¹ D¹ on the hereto annexed Diagram S.G. No 373/2009:

- A. SUBJECT to such conditions as referred to in the Deed of Transfer No T 129/1917.
- B. NOT SUBJECT but ENTITLED to the benefits of a servitude relating to water rights contained in an endorsement on the said Deed of Transfer No T 129/1917, reading as follows:

"By Notarial Deed dated 19.1.1931 an agreement relating to certain water rights referred to in copy of contract annexed thereto and to furrows, pipelines and wire has been entered into by the owners of and only in so far as it affects the properties conveyed by paras. 1 and 2 of Transfer No 129 dated 10 January 1917 i.e. this transfer and by paras. 1, 2, 3, 4 and Transfer No 13199 dated 14 November 1919; and by said agreement the owners of the properties conveyed by para 3 of said Transfer No 129 i.e. this deed and by para 5 of the said Transfer No 13199 have disclaimed all rights to certain water subject to conditions as will more fully appear on reference to the said Notarial Deed annexed hereto."

R

A reference to which aforesaid endorsement appears on the said Diagram No 1073/69 annexed to Certificate of Consolidated Title No T 26725/1974 in the following terms:

"The curved line u w v represents a servitude water furrow, the dotted line w x y represents a servitude pipeline and h represents a servitude concrete division wire vide dgm 1425/1932."

Which said servitudes are depicted by the same lettering on the annexed Diagram No 11700/1984.

- C. ENTITLED to the terms of the following endorsement dated the 3rd of September 1981 which appears on the said Certificate of Consolidated Title No T 26725/1974, which reads as follows:

"By Notarial Deed No K 712/1981 S dated 28th September 1979, the within property is entitled to:

1. The right of a servitude area indicated by the figure hj¹ left bank of Berg River k¹m on servitude diagram 3996/1974 thereto annexed.
2. The right of a pipe-leading servitude the centre line of which is depicted by the line f g on diagram 3996/1974 thereto annexed.
3. The right of a power line servitude, the centre line of which is depicted by the lines h¹m¹ and tug¹ on diagram 3996/1974 thereto annexed.
4. The right of a servitude road 5 metres wide, the southern, south-western and southern boundaries of which are indicated by the lines yz, za¹ and a¹m on diagram 3996/1974 thereto annexed. The abovementioned rights and servitudes are over Portion 40 of the farm Kunnenburg No 811 held by T 1424/1967.

5. The right of a pipe-leading servitude the centre line of which is depicted by the line a n' on diagram 3996/1974 thereto annexed, over Remainder of the Farm No 1234 held by Certificate of Consolidated Title No T 29420/1971.
6. The right of a pipe-leading servitude the centre line of which is depicted by the line h j k on diagram 3995/1974 thereto annexed, over portion 2 of the Farm No 1238 held by T 5754/1973.
7. The right of a pipe-leading servitude the centre line of which is depicted by the line g h on diagram 3995/1974 thereto annexed, over portion 1 of the Farm No 796 held by T 4653/1951.
8. The right of a pipe-leading servitude the centre line of which is depicted by the line u e f g on diagram 3995/1974 thereto annexed, over Remainder of the Farm Babylonstoren No 959 held by T 4653/1951.
9. The right of a pipe-leading servitude the centre line of which is depicted by the line w u on diagram 3995/1974 thereto annexed over the Farm Babilonische Toren No 960 held by T 4653/1951.
10. The right of a pipe-leading servitude the centre line of which is depicted by the line a b t on diagram 3995/1974 thereto annexed, over the Remainder of the Farm Babylons Toren No 959 held by T 4653/1951.
11. The right of a pipe-leading servitude the centre line of which is depicted by the line t c v on diagram 3995/1974 thereto annexed, over the farm Babilonische Toren No 960 held by T 4653/1951.

with ancillary rights and subject to conditions as will more fully appear from said Notarial Deed.”

- D. ENTITLED to the condition contained in endorsement dated 9 May 2007 on Certificate of Consolidated Title No T 21066/1985, which condition reads as follows:

R

KRAGTENS Notariële Akte No K 593/2007 S is die reg verleen aan die geregistreerde eienaar van Gedeelte 2 van die Plaas Babylonstoren No 1268, Drakenstein Munisipaliteit, Afdeling Paarl, Provinsie Wes-Kaap, om die pyplynserwituutarea soos na verwys in K 712/1981 S en aangetoon deur die lyne fg en gh op Serwituut Diagram No 3995/1974 se roete en ligging te wysig en 'n nuwe serwituut area oor Gedeelte 2 van die Plaas Babylonstoren No 1268, Drakenstein Munisipaliteit, Afdeling Paarl, Provinsie Wes-Kaap, te verleen aan die geregistreerde eienaars van die volgende eiendomme:

1. Gedeelte 15 ('n gedeelte van Gedeelte 9) van die Plaas Simons Vlei No 791, Drakenstein Munisipaliteit, Afdeling Paarl, Provinsie Wes-Kaap

GROOT: 68,5226 (Agt en Sestig komma Vyf Twee Twee Ses) Hektaar

GEHOU kragtens Transportakte No T 26654/1966

2. Gedeelte 1 van die Plaas Stellengift No 784, Drakenstein Munisipaliteit, Afdeling Paarl, Provinsie Wes-Kaap

GROOT: 59,7396 (Nege en Vyftig Komma Sewe Drie Nege Ses) Hektaar

GEHOU kragtens Sertifikaat van Verenigde Titel No T 29879/1976

3. Restant van Gedeelte 9 van die Plaas Simons Vlei No 791, Drakenstein Munisipaliteit, Afdeling Paarl, Provinsie Wes-Kaap

GROOT: 85,6525 (Vyf en Tagtig Komma Ses Vyf Twee Vyf) Hektaar

GEHOU kragtens Sertifikaat van Verenigde Titel No T 6780/1961

4. Gedeelte 14 van die Plaas Simons Vlei No 791, Drakenstein Munisipaliteit, Afdeling Paarl, Provinsie Wes-Kaap

GROOT: 85,6532 (Vyf en Tagtig Komma Ses Vyf Drie Twee) Hektaar

GEHOU kragtens Transportakte No T 20116/1960

f

5. Die Plaas Klein Babylonstoren No 1380, Drakenstein Munisipaliteit, Afdeling Paarl, Provinsie Wes-Kaap

GROOT: 262,5135 (Twee Honderd Twee en Sestig Komma Vyf Een Drie Vyf) Hektaar

GEHOU kragtens Sertifikaat van Verenigde Titel No T 21066/1985

6. Die Plaas Klein Simons Vlei No 777, Drakenstein Munisipaliteit, Afdeling Paarl, Provinsie Wes-Kaap

GROOT: 386,7072 (Drie Honderd Ses en Tagtig Komma Sewe Nul Sewe Twee) Hektaar

GEHOU kragtens Transportakte No T 76013/1997

7. Restant van Gedeelte 2 van die Plaas Signal Hill No 965, Drakenstein Munisipaliteit, Afdeling Paarl, Provinsie Wes-Kaap

GROOT: 90,4755 (Negentig Komma Vier Sewe Vyf Vyf) Hektaar

GEHOU kragtens Transportakte No T 76013/1997

Soos meer volledig sal byk uit gesegde Notariële Akte.

X. IN RESPECT of the figure M N P Q R S A¹ B¹ C¹ on the hereto annexed Diagram S.G. No 373/2009:

A.

B.

XI. **IN RESPECT** of the figure S t¹ A¹ on the hereto annexed Diagram S.G. No 373/2009:

A.

XII. **IN RESPECT** of the figure t¹ T U V W X Y Z A¹ on the hereto annexed Diagram S.G. No 373/2009:

A. SUBJECT to the conditions which are referred to in Certificate of Registered Title No T 32727/2010.

B.

C. SUBJECT FURTHER to the conditions which are referred to in the endorsement dated the 5th of March 1897 on Deed of Transfer No T 1675 dated the 8th of March 1897 which endorsement reads as follows:

"By Power of Attorney filed with Transfer No T 1677, 8th March 1897, portions of the properties mentioned in paragraphs 1 & 2 have been transferred together with certain right of way."

D. SUBJECT FURTHER to the conditions of the endorsement dated the 15th of September 1969 on Deed of Transfer No T 9002/1961, which endorsement reads as follows:

"REGISTRASIE VAN SERWITUUT

Kragtens Notariële Akte No 465/1969 gedateer 25/9/1967, hede geregistreer is, binnegemelde eiendom (Groot: 108,2660 morg) is GEREGTIG op en oor (a) die Restant van WELBEVONDEN (nou genoem RIVERSIDE) Groot 17 Morg 266 Vierkante Roede 140 Vierkante Voet en (b) die Restant van sekere grond genoem GOOD HOPE, Groot 40 Morg 140 Verkante Roede, Gehou kragtens Paragrawe 1 en 3 onderskeidelik van T 19119/1956, van die volgende regte:

R

Together with all ancillary rights and will more fully appear from the said Notarial Deed."

Which servitude is depicted by the figure e1 f1 g1 Q R S T U V W X Y Z h1 j1 k1 l1 m1 n1 p1 q1 r1 s1 on the annexed Diagram S G No 373/2009.

B. SUBJECT to the following conditions contained in Deed of Transfer No T 32727/2010 imposed by the Department of Transport and Public Works in terms of Section 11(6) of Act 21/1940 namely:

- "(a) Geen advertensie- of enige ander tekens wat sigbaar is vanaf die geproklameerde paaie mag sonder die skriftelike goedkeuring van die Padowerheid opgerig word nie;
- (b) die grond mag nie verder onderverdeel of gekonsolideer word sonder die skriftelike goedkeuring van die Beherende Gesag soos omskryf in Wet 21/1940 nie;
- (c) nie meer as een woonhuis saam met sodanige buite geboue as wat onder gewone omstandighede benodig is om in verband daarmee gebruik te word, mag sonder die skriftelike goedkeuring van die Beherende Gesag soos omskryf in Wet 21/1940 opgerig word nie;
- (d) geen winkel of besigheidsplek van watter aard ook al op die grond geopen word of bedryf word sonder die skriftelike goedkeuring van die Beherende Gesag soos omskryf in Wet 21/1940 nie;
- (e) die 5 meter boulyn ingevolge Artikel 17 van die Paaie Ordonnansie 19/1976 is van toepassing langs die geproklameerde paaie;
- (f) geen gebou of enige bouwerk van watter aard ook al mag op die grond binne 'n afstand van 95 meter van die middellyn van die geproklameerde paaie sonder die skriftelike goedkeuring van die Beherende Gesag soos omskryf in Wet 21/1940 opgerig word nie."

1

- C. SUBJECT FURTHER to a Servitude of Right of Way represented by the figure d e f H J K L M N P Q R S g1 h1 j1 k1 l1 m1 n1 p1 q1 r1 on Diagram SG No 371/2009 in favour of the remainder of Portion 3 of the Farm Klein Babylonstoren No 1380, measuring 113,6569 (One Hundred and Thirteen Comma Six Five Six Nine) Hectares, and held by Certificate of Registered Title Number T 32727/2010.

For Information Only

And that by virtue of these presents the said

BABYLONS TOREN (PROPRIETARY) LIMITED
Registration Number 2006/035299/07

its Administrators or Assigns, now is and henceforth shall be entitled thereto, conformably to local custom, the State, however, reserving its rights.

In witness whereof I, the said Registrar, 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 Deed at CAPE TOWN on
this day of 15 NOV 2010 2010.

REGISTRAR OF DEEDS

CERTIFIED COPY FOR REGISTRATION
 FOR SURVEYOR GENERAL
 DATE: **09 MAR 2009**

DAVID HELLIG & ABRAHAMSE, LAND SURVEYORS

SIDES Metres	ANGLES OF DIRECTION	CO-ORDINATES System WG 19			S.G. No 373/2009
		Y	X		
	Constant	±	0,00	+3 700 000,00	
AB	890,22	302 31 50	A	+ 7 094,87	+ 43 560,13
BC	63,20	249 10 50	B	+ 6 344,32	+ 44 038,85
CD	269,19	238 34 30	C	+ 6 285,25	+ 44 016,39
DE	241,65	325 58 50	D	+ 6 055,55	+ 43 876,04
EF	16,92	253 47 50	E	+ 5 920,35	+ 44 076,33
FG	120,35	332 59 50	F	+ 5 904,10	+ 44 071,61
GH	58,61	327 26 40	G	+ 5 849,46	+ 44 178,84
HJ	86,07	60 26 50	H	+ 5 817,92	+ 44 228,24
JK	58,14	60 28 20	J	+ 5 892,79	+ 44 270,69
KL	96,93	303 54 30	K	+ 5 943,38	+ 44 299,34
LM	1416,52	37 44 57	L	+ 5 862,94	+ 44 353,42
MN	50,59	36 16 40	M	+ 6 730,14	+ 45 473,46
NP	97,03	17 33 10	N	+ 6 760,07	+ 45 514,24
PQ	169,72	22 03 10	P	+ 6 789,33	+ 45 806,75
QR	3,29	249 58 40	Q	+ 6 853,05	+ 45 764,05
RS	3,86	270 00 00	R	+ 6 849,96	+ 45 762,92
ST	18,81	284 09 20	S	+ 6 846,10	+ 45 762,92
TU	2,96	279 20 00	T	+ 6 827,86	+ 45 767,52
UV	3,06	270 00 00	U	+ 6 824,94	+ 45 768,00
VW	3,04	260 00 30	V	+ 6 821,88	+ 45 768,00
WX	3,05	250 04 50	W	+ 6 818,88	+ 45 767,47
XY	2,47	239 54 40	X	+ 6 816,01	+ 45 766,43
YZ	5,01	326 58 30	Y	+ 6 813,87	+ 45 765,19
ZA1	65,39	54 08 40	Z	+ 6 811,14	+ 45 769,39
A1B1	152,43	137 40 00	A1	+ 6 864,14	+ 45 807,69
B1C1	181,89	227 08 10	B1	+ 6 966,79	+ 45 895,01
C1D1	142,75	151 19 10	C1	+ 6 833,47	+ 45 571,28
D1E1	115,73	232 20 10	D1	+ 6 901,98	+ 45 446,04
E1F1	1507,24	140 43 50	E1	+ 6 810,37	+ 45 375,33
F1A	931,98	225 55 20	F1	+ 7 764,40	+ 44 208,45
	159 Babylon Toren	Δ	+ 6 315,69	+ 44 731,87	
	60 Simon	Δ	+ 6 733,20	+ 50 785,48	

Approved
Stow Abang
 for Surveyor-General
09 MAR 2009
Sheet No 1 of
2 Sheets

Beacon Description

- All beacons 16 mm iron peg, except
 A iron standard
 B 20 mm iron peg next to iron rail fence post
 C D L A1 F1 20 mm iron peg
 M 12 mm iron peg in stone cairn

The figure **ABCDEFGHIJKLMNPQRSTUVWXYZA1B1C1D1E1F1**

represents **193.6634 hectares** of land being

The Farm No 1740 and comprising 1) – 2) as enumerated on Sheet No 2

situate in **the Drakenstein Municipality**

Administrative District of **Paarl**

Province of the Western Cape

Surveyed between **February 2007 and October 2008**

by us,

D S Hellig *S G Dreyer*
D S HELLIG **S G DREYER**
 PLS 0256 PLS 1028
 Land Surveyors

This diagram is annexed to
 No. **T 61668/10**
 dated
 i.f.o. **15 NOV 2010**
 Registrar of Deeds

The original diagrams are as
 enumerated on Sheet No 2

File No. Paarl
 S.R. No. **E2621/2008**
 Comp.
 BH – 8BDA (3764)
 BH – 8BDB (3765)
 LPI C0550000

CERTIFIED COPY FOR REGISTRATION
 FOR SURVEYOR-GENERAL
 DATE 09 MAR 2009

The Farm No 1740, Admin:

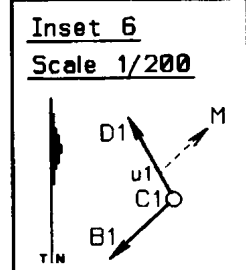
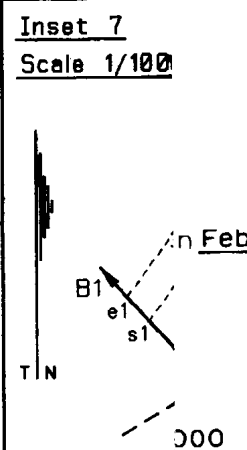
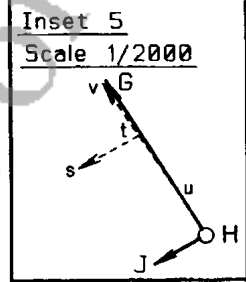
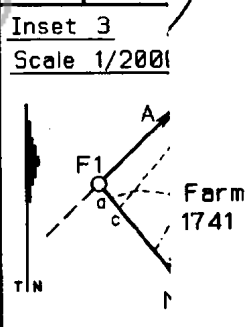
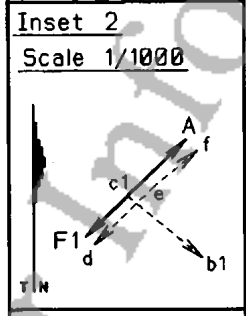
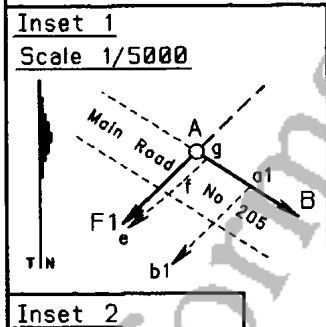
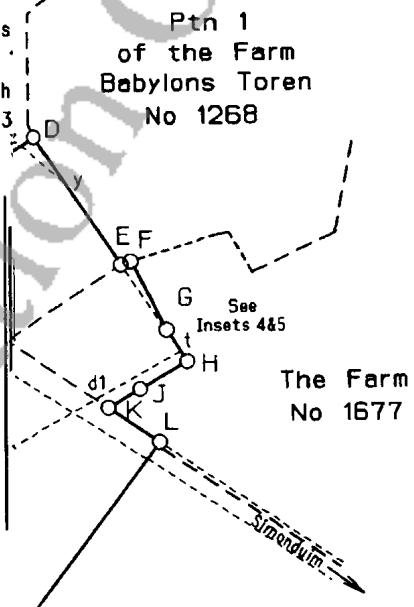
Components:

- 1) The figure ABCDEFGHJKLMF1 r vide dgm no 4350/2008 D/T
- 2) The figure MNPQRSTUWXYZA1B Klein Babylonstoren No 1380

Servitude Notes:

- 1) The line cdefg represents the vide dgm no 3995/1974 D/S
- 2) The curvilinear line ab repres Road 4m wide vide dgm no
- 3) The figure e1fg1QRSTUWXYZh Right of Way vide dgm no 3

S.G. No.
 373/2009
 Approved
Stow Abang
 for
 Surveyor-General
 09 MAR 2009
Sheet 2 of 2 Sheets



in February 2007 and October 2008

D S HELLIG
 PLS 0256

S G DREYER
 PLS 1028
 Land Surveyors