

4262/05

Notariële Akte / Notarial Deed No. 4262/05 dated 26-10-2005

Die hierin vermelde eiendom onderhewig aan die Akte is onderhewig aan die volgende bepalinge:

ENCROACHMENT 3611/2005

0:10m LETTERS ABOD 2

SECURITY DIAGRAM 36120/2005

in favour of P. 1 of Erf 1213 Durban

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Akieskantoor, Durban, Pietermaritzburg, Natal, Suid-Afrika

26 OCT 2005

Prepared by me,
 Conveyancer
LEISEGANG, L B

BELASBAAR
 RATED

04/04/90
 T 8318/90

SHEPSTONE AND WYLIE
 Attorneys, Notaries & Conveyancers
 Scotswood House
 41 Acutt Street
 Durban
 SC/110

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN:
 THAT **MICHAEL GLEN TONKIN** of
 PIETERMARITZBURG, Natal, Conveyancer, appeared before me, Registrar of Deeds
 for the Province of Natal, at Pietermaritzburg, he the said Appearer, being duly
 authorised thereto by a Power of Attorney granted to him by

**THE EXECUTOR OF THE ESTATE OF THE LATE
 RONALD CLAUDE D'AUBREY
 NO. 8094/89**

which said Power of Attorney is dated 29 January 1990
 and signed at DURBAN;

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 FOR ENDORSEMENTS SEE

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DIE IDENTITEITSNOMMER VAN DIE	THE IDENTITY NUMBER OF THE
<i>Three</i>	
IS VERANDER NA	HAS BEEN CHANGED TO
<i>440204 5092 089.</i>	
26 OCT 2006	<i>[Signature]</i>
	REGISTRAR/REGISTRAR

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AND the said Appearer declared that :

WHEREAS the undermentioned immovable property is registered in the name of RONALD CLAUDE D'AUBREY who died testate on 4 November 1989.

AND WHEREAS in terms of the Last Will and Testament of the said late RONALD CLAUDE D'AUBREY dated 18 September 1985 the said property devolves upon ROBERT FRANK D'AUBREY (hereinafter more fully described), subject to the condition hereinafter more fully set forth.

NOW THEREFORE, he, the said Appearer, in his capacity aforesaid, did by these presents cede and transfer in full and free property to and on behalf of :

ROBERT FRANK D'AUBREY
Identity No. 440304 5092 00 6
Married out of community of property

- a member of the WHITE Group -

his heirs, executors, administrators or assigns, the following property, namely:

REGISTRATION DIVISION F 9
REGISTRASIE AFDELING

REMAINDER OF LOT 1213 DURBAN,
situate in the City of Durban,
Administrative District of Natal,
in extent NINE HUNDRED AND FORTY
ONE (941) Square Metres

WHITE GROUP
BLANKE GROEP

First transferred by Deed of Transfer No. 1591/1915 with S.G.O. Sub Vol. 367 fol. 44 annexed thereto, and held as to a one-half share under Deed of Transfer No. 8638/1946 and as to the remaining one-half share under Deed of Transfer No. 11729/1970.

THIS PROPERTY IS TRANSFERRED:

- (a) SUBJECT to all the terms and conditions of the original Government Grant No. 1737, dated 27th July, 1855, as still in force and applicable.
- (b) SUBJECT to the following special conditions created in said Deed of Transfer No. 1591/1915, namely :
 1. A brick or stone building to the value of at least R500,00 per Lot and R300,00 for any subdivision shall be erected within two years from the date of sale (viz : 26th October, 1912) and rates will be levied on those amounts added to the value of the land in the third and each succeeding year until the buildings are erected when rates will be levied on the value of such buildings not less than the foregoing amounts and this clause shall be the Contract or Agreement within the meaning of Section 7 of Ordinance 11, 1911.
 2. No dwelling house will be permitted to be erected on an area less than 929 square metres and the lot, if subdivided will only be capable of subdivision into two equal parts.
 3. No building other than outbuildings shall be erected on the said Lot fronting to the back lanes and outbuildings shall not be allowed except on the back lanes.
- (c) SUBJECT to the following special condition contained in the Last Will and Testament of the said late RONALD CLAUDE D'AUBREY dated 18 September 1985, reading as follows :

"4. Any beneficiary taking under this my Will shall take for his or her own sole and absolute use and benefit and free from the debts of and excluded from any community of property with any spouse he or she has married or may marry and, in the case of a female, free from the control and marital power of any husband she has married or may marry;"

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WHEREFORE the said Appearer, renouncing all right and title which the said Estate of the late **RONALD CLAUDE D'AUBREY** heretofore had to the premises, did in consequence also acknowledge the said Estate to be entirely dispossessed of, and disentitled to the same, and that by virtue of these presents, the said **ROBERT FRANK D'AUBREY** his heirs, executors, administrators or assigns, now is and henceforth shall be entitled thereto, conformably to local custom, the State, however reserving its rights, and finally acknowledging the value of the aforesaid property to be the sum of **R220 000,00 (TWO HUNDRED AND TWENTY THOUSAND RAND)** for Estate Duty purposes.

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, in the Province of Natal, on **04/04/90**


q.q.

In my presence


REGISTRAR OF DEEDS

Registered in the
Register
Folio

Registering Clerk

REGISTERED	24/4	m
INDEXED	24/4	YR

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