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Prepared by me



CONVEYANCER  
L R LE ROUX

T 26146/1991

Fairbridge Arderne & Lawton Inc  
Fifth Floor  
Main Tower  
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Heerengracht  
Cape Town 8001

T 26146/1991

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## DEED OF TRANSFER

By Virtue of Section 31 of the Deeds Registries Act, No. 47 of 1937

BE IT HEREBY MADE KNOWN that whereas the undermentioned land has been expropriated by the Republic of South Africa in terms of Section 2(1) of the Expropriation Act, 1975, which land is at present registered in the Deeds Registry at Cape Town in the name of

THE MUNICIPALITY OF THE CITY OF CAPE TOWN

under Certificate of Registered Title No. T 57263/1987.

AND WHEREAS a certificate has been furnished to me in terms of Section 31(4)(a) of Act 47 of 1937 by the Republic of South Africa to the effect that the provisions of any law in connection with the change of ownership in the land in consequence of expropriation have been complied with.

NOW, THEREFORE, by virtue of the authority vested in me by the said Act, I, the Registrar of Deeds at Cape Town, do, by these presents, cede and transfer in full and free property to and in favour of

THE REPUBLIC OF SOUTH AFRICA

or its assigns,

ERF 115963 CAPE TOWN AT CAPE TOWN  
situate in the Municipality of Cape Town  
CAPE DIVISION;

IN EXTENT: 452 (Four Hundred and Fifty Two) square metres;

FIRST REGISTERED and still held by Certificate of Registered Title No. T57263/87 with Diagram S.G. No. 4455/83 relating thereto.

I. INSOFAR as concerns the figure marked AzGFEjydx on the said Diagram S.G. No. 4455/1983:

SUBJECT to the conditions referred to in Deed of Transfer No. T 226 dated 16th February 1874.

II. INSOFAR as concerns the figure marked xdeckB on the said Diagram S.G. No. 4455/1983:

A. SUBJECT to the conditions referred to in Deed of Transfer No. T 7743/1917.

B. SUBJECT FURTHER to the terms of the endorsement dated 17th May 1966 on Deed of Transfer No. T 4529/1938, reading as follows:-

"Endorsement in terms of Section 8(4) of Act No. 4/1934 (As Amended).

The herein mentioned property has been proclaimed an historical monument in terms of Sec. 5(1) of Act 4/1934 (as amended). For further particulars refer to Proclamation No. 558 dd 15/4/1966 and Minute HMK 6/9/2/46 dd 3/5/1966 from the Director of Archives filed in File No. 73."

III. INSOFAR as concerns the figure marked jfhdy on the said Diagram S.G. No. 4455/1903:

SUBJECT to the conditions referred to in Deed of Transfer No. T 7734/1917.

IV. INSOFAR as concerns the figures marked fDbgh and hgce on the said Diagram S.G. No. 4455/1983:

SUBJECT to the conditions referred to in Deed of Transfer No. T 3685/1911;

V. INSOFAR as concerns the figure marked bCkcg on the said Diagram S.G. No. 4455/1983:

SUBJECT to the conditions referred to in Deed of Transfer No. T.2217/1901.

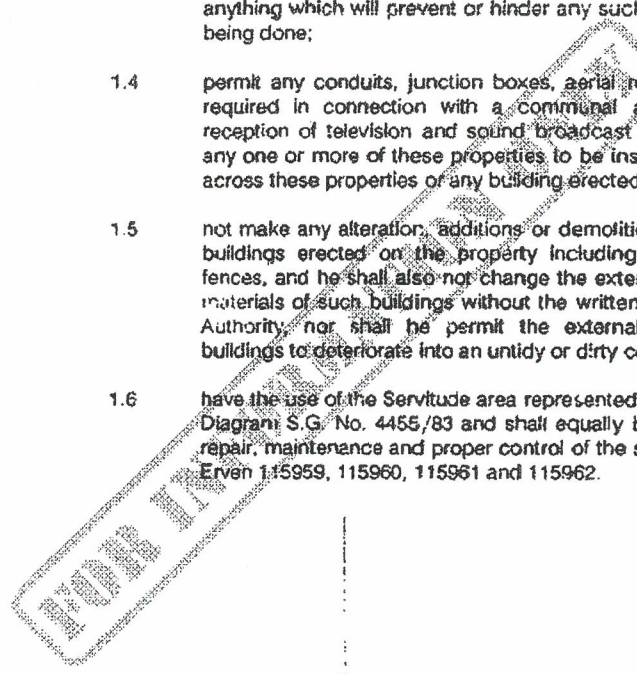
VI. INSOFAR as concerns the whole of the Erf 137777, Cape Town at Cape Town on the said Diagram S.G. No. 2674/1987:

A. SUBJECT to the following conditions contained in Certificate of Registered Title No. T 57263/87 imposed by the Municipality of the City of Cape Town under the provisions of Section 9 of Ordinance 33/1934 as delegated to the Municipality in terms of Ordinance 13/1965, namely:-

1. The owner of this erf shall without compensation, be obliged to allow gas mains, 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, and surface installations such as mini-substations, meter kiosks and service pillars to be installed thereon 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 material 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.

B. SUBJECT FURTHER AND ENTITLED to the following conditions contained in Certificate of Registered Title No. T 57263/87 imposed by the Municipality of the City of Cape Town under the provisions of Section 9 of Ordinance 33/1934 as delegated to the Municipality in terms of Ordinance 13/1965, namely:-

1. The owner of this erf shall -
  - 1.1 maintain so much of the support for any wall, roof, pipe, gutter, wiring or other structure or thing as is common to such erf and any other erf;
  - 1.2 maintain every part of such wall, roof, pipe, gutter, wiring or other structure or thing which is on or traverses his erf, and
  - 1.3 permit access to his erf for the purpose of maintaining, cleaning, renovating, repairing, renewing, altering and adding to any wall, roof, pipe, gutter, wiring or other structure or thing, and shall not do anything which will prevent or hinder any such access or work from being done;
  - 1.4 permit any conduits, junction boxes, aerial mast and other fittings required in connection with a communal aerial system for the reception of television and sound broadcast transmissions serving any one or more of these properties to be installed on or conveyed across these properties or any building erected thereon;
  - 1.5 not make any alteration, additions or demolitions to any part of the buildings erected on the property including boundary walls and fences, and he shall also not change the external colour scheme or materials of such buildings without the written consent of the Local Authority, nor shall he permit the external appearance of the buildings to deteriorate into an untidy or dirty condition."
  - 1.6 have the use of the Servitude area represented by the figure Axyz on Diagram S.G. No. 4455/83 and shall equally be responsible for the repair, maintenance and proper control of the said Right of Way with Erven 115959, 115960, 115961 and 115962.



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WHEREFORE THE MUNICIPALITY OF THE CITY OF CAPE TOWN, is hereby entirely dispossessed of and disentitled to the said land and that by virtue of the said expropriation the said REPUBLIC OF SOUTH AFRICA or its Assigns now is and hereafter shall be entitled thereto confirmably to local custom.

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 Deeds at CAPE TOWN, Province of the Cape of Good Hope, on 3 MAY 1991.

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REGISTRAR OF DEEDS