



rural development
& land reform

Department:
Rural Development and Land Reform
REPUBLIC OF SOUTH AFRICA

Chief Directorate: National Geospatial Information

Private Bag X 10, Mowbray, 7705; Tel: 021-6584300; Fax: 021-6891351;

Van der Sterr Building, Rhodes Avenue, Mowbray, 7705

PNIEL TRANCRAA PROPERTY REPORT

PHASE 1

By: Ndinae Netshivhangoni / Professional Land Survey / Department of Rural Development and Land Reform / National Geo-Spatial Information System / 021 658 4478

REF: 2015/47

1. PURPOSE OF THE REPORT

The purpose of the report is to identify the TRANCRAA property and the status of the beacons that defines the outer boundary thereof.

2. BACKGROUND

There are certain properties that are held in trust for the communities by the Minister of Rural Development and Land Reform or any other body of the state. These rural areas were proclaimed in terms of The Rural Areas Act (House of Representatives), Act No 9 of 1987 or its preceding legislation. Each rural ^{Area} was proclaimed on a certain proclamation number. The department is now in the process of transferring the ownership to the respective communities. One of the most important steps into transferring these properties is to identify the original property held in trust. One needs also to acknowledge that trust land is no longer as it was when vested due to developments of the land. According to section 3 of TRANCRAA only remainder trust land will be transferred to the legal entity of the community usually CPA. Even though there is no clear proclamation that identify a remainder TRANCRAA property in Pniel, below I have tried to point out properties that can possibly (pending Deeds office confirmation) form part of TRANCRAA.

No certainty

3. IDENTIFICATION OF TRANCRAA PROPERTY

There are three sources in this report used to arrive at to what is defined as TRANCRAA property(ies) of Pniel. The first one being the Western Cape websites (<https://www.westerncape.gov.za/general-publication/information-rural-areas-act#background>) which state that the board areas was proclaimed by proclamation no. 78 of 1915 (see figure 1). When I visited the compilation sheet (see figure 2) at the Surveyor General's office this was also confirmed. The said proclamation as Gazetted on notice No. 670 published on 23 July 1913 is in accordance section twenty-seven of the Mission Stations and Communal Reserves Act No. 29 of 1909 (Cape) and in there the property is described as follows:

SCHEDULE "A."	BIJLAGE "A."
<p style="text-align: center;">DESCRIPTION OF LIMITS OF PNIEL MISSION STATION, DISTRICT OF PAARL, PROVINCE OF THE CAPE OF GOOD HOPE.</p> <p>1. Certain pieces of land held by the Directors of the Mission Institution, Pniel, under Transfer Deed No. 11, dated 14th December, 1843, described as follows:— Certain farm called Papiere Molen, situate in the District of Drakenstein, now Division of Stellenbosch, being part of the place De Goede Hoop, together with a piece of freehold and two pieces of perpetual quitrent land adjoining thereto, measuring 18 morgen and 1 square rood of freehold and 31 morgen and 311 square rods of perpetual quitrent land.</p> <p>2. Certain pieces of land held by the Directors of the Mission Institution, Pniel, for the purpose of erecting a school house or place of worship at Great Drakenstein, described as follows:— Certain piece of freehold and perpetual quitrent land situate in the Division of Stellenbosch at Great Drakenstein, being part of the freehold farm called De Goede Hoop and adjoining quitrent land transferred to P. J. de Villiers and another on the 6th August, 1841, measuring 307½ square rods of freehold and 480 square rods and 2 square feet of perpetual quitrent land.</p>	<p style="text-align: center;">BESCHRIJVING VAN GRENSLIJNEN VAN PNIEL ZENDING-STATIE, DISTRIKT PAARL, PROVINCE DE KAAP DE GOEDE HOOP.</p> <p>1. Zekere stukken grond gehouden door de Directeurs van de Zendinginrichting, Pniel, onder Grondbrief No. 11, gedateerd 14 Desember 1843, omschreven als volgt:— Zekere plaats genoemd Papiere Molen, gelegen in het Distrikt Drakenstein, nu Afdeling Stellenbosch, zijnde een gedeelte van de plaats De Goede Hoop, te zamen met een stuk eigendoms en twee stukken eeuwigdurende erfpachtsgrond daaraangrenzende, groot 18 morgen en 311 vierkante roeden eeuwigdurende erfpachtsgrond.</p> <p>2. Zekere stukken grond gehouden door de Directeurs van de Zendinginrichting Pniel, voor het doel een schoolgebouw of een gebouw voor Godsdiensstige samenkomst te Groot Drakenstein op te richten omschreven als volgt:— Een zeker stuk eigendoms- en eeuwigdurende erfpachtsgrond, gelegen in de Afdeling Stellenbosch te Groot Drakenstein, zijnde een gedeelte van de eigendomsplaats genoemd De Goede Hoop en aangrenzende erfpachtsplaats overgedragen aan P. J. de Villiers en iemand anders op 6 Augustus 1841, groot 307½ vierkante roeden eigendomsgrond en 480 vierkante roeden en 2 vierkante voet eeuwigdurende erfpachtsgrond.</p>

Figure 1: Proclamation 78 of 1915 Gazette No. 670

In trying to interpret the proclamation, a comparison of the areas on the proclamation (in blue) and the SG data (in bold black) was done.

Schedule A (1.) Talks about freehold land and quirent (grant)

Freehold land	-	18 Morgen	1 Square roods
Quitrent/Grant land	-	<u>31 Morgen</u>	<u>311 Square roods</u>
		<u>42.4155 hectares</u>	

The farm Papier Molen No. 1197 (now Erf 162 Pniel) and ptn 6 of 1193 (now erf 150)

Freehold land	-	18 Morgen	226 Square roods
Quitrent land	-	29 Morgen	76 Square roods
Quitrent land (erf150)-	-	<u>01 Morgen</u>	<u>515 Square roods</u>
		<u>42.2798 hectares</u>	

Schedule A (2.) Also talks about freehold and grant land

Freehold land	-	307½ Square roods
Quitrent/Grant land	-	<u>480 Square roods</u> <u>2 Square feet</u>
		<u>1.1243 hectares</u>

Erf 152 Pniel

Freehold land	-	307½ Square roods
Grant land	-	<u>480 Square roods</u> <u>2 Square feet</u>
		<u>1.1243 hectares</u>

Total Area per proclamation : 43.5398 hectares

Total area per SG records : 43.4041 hectares

Although there is a discrepancy of 1357 m², based on the above information one can conclude that the properties defined by proclamation No. 78 of 1915 are:

- **Schedule A (1.)**

The farm Papier Molen No. 1197 (now Erf 162 Pniel), represented by dgm no. B210/1822 and portion 6 of the farm Good Hope No. 1193 (now erf 150), represented by dgm No. 31/1825.

- **Schedule A (2.)**

Erf 152 Pniel, represented by dgm no. 102/1843

NB!! One thing one cannot confirm at this stage is whether these three properties form part of TRANCRAA or not since the proclamation is not clear in that aspect. However this will be the heads up for Deeds office who will eventually confirm against that which is found on the history of the title of the these properties.



Figure 2: Surveyor General Compilation sheets no. M4749, M4750, M4442 and M4444

The above mentioned proclamation is also noted on SG noting/compilation sheets as quoted on figure 2. Figure 2 is a combination of four noting sheets. From the noting sheets it is also noted

that there is more land incorporated to Pniel through proclamations No. 99 of 1968 (figure 3) and 32 of 1963 (figure 4). Proclamation No. 99 of 1968 was Gazetted on notice No. 2055 published on 26 April 1968 in accordance with section 5 of the Rural Coloured Areas Act No. 24 of 1963, as amended by Act No. 75 of 1967.

<p>No. 99, 1968. INCORPORATION OF AN EXISTING AREA WITH AN EXISTING AREA IN TERMS OF ACT No. 24 OF 1963, AS AMENDED BY ACT No. 75 OF 1967. By virtue of the powers vested in me in terms of section 5 of the Rural Coloured Areas Act, 1963 (Act No. 24 of 1963), as amended by Act No. 75 of 1967, I declare the <u>existing area of Cystergrond</u> as defined in the Schedule to Proclamation No. 32 of 1963, and situate in the Division of Paarl, Province of the Cape of Good Hope, as from the date of publication hereof <u>incorporated with the adjoining existing area of Pniel</u> as defined in Schedule A to Proclamation No. 78 of 1915, situate as above; but <u>not subject to the terms and reservations embodied in Schedule B to the latter Proclamation.</u></p>	<p>No. 99, 1968. INLYWING VAN 'N BESTAANDE GEBIED BY 'N BESTAANDE GEBIED KRAGTENS DIE BEPALINGS VAN WET No. 24 VAN 1963, SOOS GEWYSIG BY WET No. 75 VAN 1967. Kragtens die bevoegdheid my verleen by artikel 5 van die Wet op Landelike Kleurlinggebiede, 1963 (Wet No. 24 van 1963), soos gewysig by Wet No. 75 van 1967, verklaar ek die bestaande gebied Cystergrond wat in die Bylae van Proklamasie No. 32 van 1963 omskryf is en geleë is in die afdeling Paarl, provinsie die Kaap die Goeie Hoop, met ingang van die datum van publikasie hiervan ingelyf by die aangrensende bestaande gebied Pniel wat in Bylae A van Proklamasie No. 78 van 1915 omskryf is en geleë is soos vermeld; maar nie onderworpe aan die voorwaardes en voorbehoude vervat in Skedule B van laasgenoemde Proklamasie nie.</p>
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Figure 3: Proclamation No. 99 of 1968 Gazette No. 2055

The said proclamation makes reference to the incorporation of existing area of Cystergrond as defined in proclamation No. 32 of 1963. Proclamation No. 32 of 1963 was Gazetted on notice No. 445 on 1 March 1963 in accordance with Preservation of Coloured Areas Act No. 31 of 1961 and below is part of the proclamation that defines the actual property. See annexure for a full proclamation.

<p>BYLAE. Vanaf die noordwestelike baken van Gedeelte 2 van die plaas Lot 1 (Kaart 39/1899) in 'n suidoostelike rigting langs die grense van die volgende eiendomme sodat dit by hierdie gebied ingesluit word, naamlik, die genoemde Gedeelte 2, Gedeelte 1 (Kaart 227/1931), Gedeelte 3 (Kaart 226/1931) en die genoemde Gedeelte 2 tot by die oorspronklike baken.</p>	<p>SCHEDULE. From the north-western beacon of Portion 2 of the farm Lot 1 (Diagram 39/1899) in a south-easterly direction along the boundaries of the following properties so as to include them in this area, viz., the said Portion 2, Portion 1 (Diagram 227/1931), Portion 3 (Diagram 226/1931) and the said Portion 2 to the beacon first named.</p>
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Figure 4: Proclamation No. 32 of 1963 Gazette No. 445

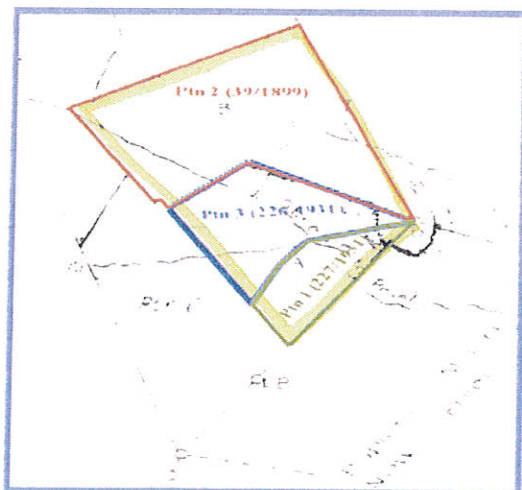


Figure 5: Ptn 1, 2 and 3 of the farm 1201

In trying to interpret proclamation 32 of 1963 I came up with a picture on figure 5. The properties included in the proclamation are all subdivision of the Farm 1201 (formerly known as Lot 1) represented by dgm No. 87/1882. What is referred to as portion 2 is digitized in red, portion 1 in green and portion 3 in blue. So these three properties constitute the property defined on proclamation No. 32 of 1963. A piece of this land has been already developed but there is still empty/remainder from the incorporated land of Cystergrond.

Basically there are three properties incorporated by proclamation 32 of 1963 and that is portion 1 (2.6440 ha), portion 2 (7.8801 ha) and portion 3 (2.6465 ha), represented by dgm No. A227/1931, 39/1899 and A226/1931 respectively. This makes the total incorporated area to be 13.1706 hectares. The three properties were consolidated into portion 5, represented by dgm No. 1571/1982 (13.1747 ha). Deeds report from internet indicates that the owner of portion 5 is Cyster Family Trust. I don't know how this happened but somehow the community property was changed hands to the trust. By who is a question still to be answered by Deeds history on the title of that property.

4. Possible TRANCRAA land in Pniel

4.1. Erf 1 (based on proclamation No. 78 1915)

The farm Papier Molen No. 1197 (now Erf 162 Pniel) was consolidated with erven 150, 161, re/152, re/158 and re/159 into erf 1. According to Deeds report from the internet erf 1 Pniel belong to Gemeenskap Van Pniel. Out of the six properties that where consolidated into erf 1, only erf 161 did not form part of proclamation 78 of 1915 but to my understanding erf 1 is part of TRANCRAA.

4.2. Portion 5 (based on proclamation 99 of 1968 and 32 of 1963) ?

Based on the evidence provided above this property was community property but at some stage it was transfer to Cyster Family Trust. I have put a big question mark on this property as I cannot confidently say the status of this property but according to my opinion this property should still form part of TRANCRAA. However it becomes complicated because it is now on private ownership.

4.3. Portion 8 (based on proclamation 99 of 1968 and 32 of 1963)

From portion 5, portion 7 was deducted. Erf 257 and 276 were then subdivided from portion 7 leaving the remaining extent of portion 7 at 7.2075 ha.

There is another property (portion 6 of farm 1201) which was not included in the proclamations stated previously but its remainder is now consolidated with remaining extent of portion 7 into portion 8 (11.7844 ha). But then, when one look at the Deeds report from internet of portion 8, the property belongs to Gemeenskap Van Pniel. Portion 8 has been subdivided for township establishment and the remaining extent of 6.8759 ha is a possible TRANCRAA land.

5. Conclusion and recommendation

From the evidence provided so far it is safe to say the possible TRANCRAA property in Pniel is Erf 1 and portion 8 of farm 1201. It is recommended that remainder Erf 1 and portion 8 be dealt with separate with portion 5 because they are less complicated. More investigation still needed on portion 5 to ascertain what really happened for it to fall on private hand. The possibility is that this property would be dealt with under restitution if Deeds office confirms my suspicion.

Netshivhangoni NL

18 February 2016

Date

ANNEXURE

Proclamation No. 78 of 1915_P1

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GOVERNMENT GAZETTE, 23RD JULY, 1915.

* No. 77, 1915.]

WHEREAS it is desirable that for the present the provisions of Proclamation No. 320 of 1911 as amended by Proclamation No. 74 of 1914 should not apply to the District of Mqanduli;

Now, therefore, under and by virtue of the powers and authorities vested in me by law, I do hereby proclaim, declare and make known that the provisions of Proclamation No. 320 of 1911 as amended by Proclamation No. 74 of 1914 shall be suspended as far as the District of Mqanduli is concerned until this Proclamation is repealed, and that during the operation of this Proclamation the provisions of Proclamations No. 125 of 1903 and No. 126 of 1905 shall be deemed to be of force and effect in the said district.

GOD SAVE THE KING.

Given under my Hand and the Great Seal of the Union of South Africa at Ladysmith this Seventh day of July One thousand Nine hundred and Fifteen.

BUXTON,

Governor-General.

By Command of His Excellency the
Governor-General-in-Council.

F. S. MALAN.

* No. 78, 1915.]

WHEREAS by section *twenty-seven* of the Mission Stations and Communal Reserves Act No. 29 of 1909 (Cape) it is provided that the provisions of Part I of the said Act may be applied, *mutatis mutandis* and in so far as they are applicable, to any private property on which any mission station not coming within the provisions of the said Act shall have been established, subject to the consent in writing of the owner, and after the occupiers of such mission station have been consulted as to the terms of consent and any reservations which may be imposed by the owner;

And whereas the Trustees of the Pniel Mission Station have given their consent, in writing, to the application of Part I of the said Act to the Pniel Mission Station, subject to the terms and reservations herein after mentioned;

And whereas the occupiers of the Mission Station of Pniel, in the District of Paarl, Province of the Cape of Good Hope, have been consulted in the manner prescribed by Government Notice No. 888 of 1910;

Now therefore under and by virtue of the powers and authorities vested in me by section *twenty-seven* of the Act No. 29 of 1909, Cape, aforesaid, and section *sixteen* of the South Africa Act, 1909, I do hereby proclaim, declare, and make known that from and after the date hereof the provisions of Part I of the Mission Stations and Communal Reserves Act, 1909, Cape, *mutatis mutandis* and in so far as they are applicable, shall be and are hereby applied to the Mission Station of Pniel, District of Paarl, Province of the Cape of Good Hope, as described in the Schedule "A" hereto, subject to the terms and reservations embodied in the Schedule "B" hereto.

GOD SAVE THE KING.

Given under my Hand and the Great Seal of the Union of South Africa at Ladysmith this Seventh day of July One thousand Nine hundred and Fifteen.

BUXTON,

Governor-General.

By Command of His Excellency
the Governor-General.

F. S. MALAN.

SCHEDULE "A."

DESCRIPTION OF LIMITS OF PNIEL MISSION STATION, DISTRICT OF PAARL, PROVINCE OF THE CAPE OF GOOD HOPE.

1. Certain pieces of land held by the Directors of the Mission Institution, Pniel, under Transfer Deed No. 11, dated 4th December, 1843, described as follows:—

Certain farm called Papierse Molen, situate in the District of Drakenstein, now Division of Stellenbosch, being part of the place De Goede Hoop, together with a piece of freehold and two pieces of perpetual quitrent land adjoining

* No. 77, 1915.]

NADEMAAL het wenselik is dat voor het teenwoordige, de bepalingen van Proklamatie No. 320 van 1911 als gewijzigd bij Proklamatie No. 74 van 1914, niet toepasselik gemaakt zullen worden op het Distrikt Mqanduli;

Zo is het dat ik, ingevolge de mij bij de wet verleende macht en bevoegdheid, hierbij proklameer, verklaar en bekend maak, dat de bepalingen van Proklamatie No. 320 van 1911 als gewijzigd bij Proklamatie No. 74 van 1914, opgeschort zullen zijn in zoverre die betrekking hebben op het Distrikt Mqanduli totdat deze Proklamatie ingetrokken wordt, en dat zolang deze Proklamatie van kracht blijft de bepalingen van Proklamaties No. 125 van 1903 en No. 126 van 1905 geacht zullen worden in volle werking te zijn in het distrikt voormeld.

GOD BEHOEDE DE KONING.

Gegeven onder mijn Hand en het Grootzegel van de Unie van Zuid-Afrika, te Ladysmith, deze Zevende dag van Julie Een duizend Negen honderd en Vijftien.

BUXTON,

Gouverneur-generaal.

Op last van Zijn Excellentie de
Gouverneur-generaal-in-Rade.

F. S. MALAN

* No. 78, 1915.]

NADEMAAL bij artikel *zeven en twintig* van de Zendingstaties en Kommunale Reservatwet, No. 29 van 1909 (Kaap Kolonie) voorziening gemaakt werd dat de bepalingen van Deel I van genoemde wet toepasselik gemaakt mogen worden, *mutatis mutandis*, en in zoverre die toepasselik zijn op enig privaat eigendom waarop een zendingstatie, welke niet valt onder de bepalingen van de genoemde wet, opgericht is, onderworpen aan de schriftelike toestemming van de eigenaar, en na geraadpleegd te hebben met de bewoners van zodanige zendingstatie met betrekking tot de voorwaarden van toestemming en enig voorbehoud dat door de eigenaar gemaakt zal worden;

En nademaal de Kuratoren van de Pniel Zendingstatis hun schriftelike toestemming verleend hebben voor de toepassing van Deel I van de voormelde wet op de Pniel Zendingstatis, onderworpen aan de voorwaarden en enig voorbehoud, hierna genoemd;

En nademaal de bewoners van de Zendingstatis Pniel, in het Distrikt Paarl, Provincie de Kaap de Goede Hoop, geraadpleegd te hebben op de wijze voorschreven bij Governemements Kennisgeving No. 888 van 1910;

Zo is het dat ik, ingevolge de macht en bevoegdheid mij verleend bij artikel *zeven en twintig* van Wet No. 29 van 1909 (Kaap Kolonie), voormeld, en artikel *zestien* van de Zuid-Afrika Wet, 1909, hierbij proklameer, verklaar en bekend maak, dat met ingang en na de datum hier van de bepalingen van Deel I van de Zendingstatis en Kommunale Reservatwet, 1909, Kaap Kolonie, *mutatis mutandis*, en in zoverre die toepasselik zijn, hierbij toepasselik gemaakt worden op de Zendingstatis Pniel, Distrikt Paarl, Provincie de Kaap de Goede Hoop, als omschreven in Bijlage "A" hiertoe, onderworpen aan de voorwaarden en enig voorbehoud bevat in Bijlage "B" hiertoe.

GOD BEHOEDE DE KONING.

Gegeven onder mijn Hand en het Grootzegel van de Unie van Zuid-Afrika, te Ladysmith, deze Zevende dag van Julie Een duizend Negen honderd en Vijftien.

BUXTON,

Gouverneur-generaal.

Op last van Zijn Excellentie de
Gouverneur-generaal-in-Rade.

F. S. MALAN.

BIJLAGE "A."

BESCHRIJVING VAN GRENSLINIEN VAN PNIEL ZENDINGSTATIE, DISTRIKT PAARL, PROVINCIE DE KAAP DE GOEDE HOOP.

1. Zekere stukken grond gehouden door de Direktieus van de Zendinginrichting, Pniel, onder Grondbrief No. 11, gedateerd 4 Desember 1843, omschreven als volgt:—

Zekere plaats genoemd Papierse Molen, gelegen in het Distrikt Drakenstein, nu Afdeling Stellenbosch, zijnde een gedeelte van de plaats De Goede Hoop, te zamen met een stuk eigendoms- en twee stukken eeuwigdurende erfpachtgrond

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thereto, measuring 18 morgen and 1 square rood of freehold and 31 morgen and 311 square rods of perpetual quitrent land.

2. Certain pieces of land held by the Directors of the Mission Institution, Pniel, for the purpose of erecting a school house or place of worship at Great Drakenstein, described as follows:—

Certain piece of freehold and perpetual quitrent land situate in the Division of Stellenbosch at Great Drakenstein, being part of the freehold farm called De Goede Hoop and adjoining quitrent land transferred to P. J. de Villiers and another on the 6th August, 1841, measuring 307½ square rods of freehold and 480 square rods and 2 square feet of perpetual quitrent land.

SCHEDULE "B."

TERMS OF CONSENT TO THE APPLICATION OF PART I OF THE MISSION STATIONS AND COMMUNAL RESERVES ACT, No. 29 of 1909, AND RESERVATIONS, IMPOSED BY THE TRUSTEES OF THE PNIEL MISSION STATION.

1. That the Pniel Institute shall continue to be a Missionary Institute for the benefit of the Coloured People. The Mission shall be undenominational, but it shall be competent for residents of the property who are both members of the Church and also registered as occupiers in terms of the Act by a vote of not less than two-thirds of the total number of such residents to elect a church or denomination to which the spiritual cure of the station shall be confided.

2. That the title of the property, with the exceptions specified in the next succeeding paragraph, shall vest in the Board of Management to be established under the Act.

3. That the curtilage of the church, of the school, and of the parsonage or dwelling-house of the minister in charge, the garden of the minister, which shall not be lesser in extent than that enjoyed by the Reverend Stegmann, and the square abutting upon these premises, shall vest in a trusteeship of five persons to be constituted as follows, namely: The Chairman of the Board of Management, two Trustees to be appointed by the four permanent Directors of the Institute, or upon the demise or disability of one or other or both such Trustee or Trustees as may be appointed by the Government, and two Trustees to be elected by a majority of the registered occupiers of Pniel; subject to the condition that the square shall at all times be available as a public playground; and further that the said trustees shall forthwith transfer title of the aforementioned property to the nominees of the church or denomination should any such be selected in terms of paragraph 1.

4. That no one shall be allowed to keep a public house or canteen on the property of the Institute, and that notwithstanding anything to the contrary contained in Act No. 28 of 1883 or any other law it shall not be lawful to grant any liquor licence within the area of jurisdiction of the Board of Management.

5. That no one shall be allowed without the consent of the Chairman of the Board to bring wine or brandy or other intoxicating drinks upon the property, or to sell the same, on pain of ejection, as provided in paragraph 7 hereof.

6. That no one save with the consent of the Board of Management be allowed to hold dancing parties, nor any other gatherings which are offensive to the religious principles of the majority of church members resident upon the property.

7. That any person who has infringed the conditions of paragraphs 5 or 6 shall be liable to ejection upon the order of the Chairman of the Board of Management after due inquiry and consultation with the Board, without right of compensation other than such as the Board may approve after disposal of the occupational rights and improvements of such person.

8. That for the moneys expended upon the water supply for the property no liability shall remain upon the inhabitants.

9. That the balance to the credit of the institution in the hands of the directors shall vest in the trustees referred to in paragraph 3, but shall not be utilized excepting with the sanction of the Board of Management.

daaraangrenzende, groot 18 morgen en 311 vierkante roeden eeuwigdurende erfpachtsgrond.

2. Zekere stukken grond gehouden door de Directeurs van de Zendinginrichting Pniel, voor het doel een schoolgebouw of een gebouw voor Godsdiensitige samenkomst te Groot Drakenstein op te richten omschreven als volgt:

Een zeker stuk eigendoms- en eeuwigdurende erfpachtsgrond, gelegen in de Afdeling Stellenbosch te Groot Drakenstein, zijnde een gedeelte van de eigendomsplaats genoemd De Goede Hoop en aangrenzende erfpachtsplaats overgedragen aan P. J. de Villiers en iemand anders op 6 Augustus 1841, groot 307½ vierkante roeden eigendomsgrond en 480 vierkante roeden en 2 vierkante voet eeuwigdurende erfpachtsgrond.

BIJLAGE "B."

VOORWAARDEN VAN TOESTEMMING MET BETREKKING TOT DE TOEPASSING VAN DEEL I VAN DE ZENDINGSTATIE EN KOMMUNALE RESERVATIEWET, No. 29 van 1909, EN ENIG VOORBEHOUD GEMAAKT DOOR DE KURATOREN VAN DE PNIEL ZENDINGSTATIE.

1. Dat de Pniel Inrichting voortdurend een Zendinginrichting zal zijn ten voordele van de kleurlingen. De Zending zal zijn non-konfessioneel, maar de inwoners van het eigendom die beiden leden van de kerk en ook geregistreerd zijn als bewoners in termen van de wet door een stem van minstens twee-derden van het totale aantal van zodanige inwoners zullen een kerk of genootschap mogen kiezen waaraan de zielsverzorging toevertrouwd zal zijn.

2. Dat de titel van het eigendom met de uitzonderingen gespecificeerd in de eerstvolgende paragraaf, berusten zal bij de Raad van Beheer te worden gevestigd ingevolge de wet.

3. Dat het perceel van de kerk het perceel van de school en dat van de pastorie of woonhuis van de dienstdoende predikant, de tuin van de predikant, welke niet kleiner in omvang zal zijn dan de tuin van Eerwaarde Stegmann, en het plein grenzende aan deze erven berusten zullen bij een bestuur van vijf kuratoren, als volgt te worden samengesteld, namelijk: de Voorzitter van de Raad van Beheer, twee Kuratoren te worden benoemd door de vier permanente Directeuren van de inrichting of bij de dood of onbekwaamheid van een of ander of beiden zodanige Kurator of Kuratoren als door de Regering kan benoemd worden, en twee Kuratoren te worden gekozen door de meerderheid van de geregistreerde bewoners van Pniel; onderworpen aan de voorwaarde dat het plein ten alle tijde beschikbaar zal zijn als een openbare speelgrond; en verder dat de genoemde kuratoren onverwijld titel van het voormelde eigendom overdragen zullen aan de genomineerden van de kerk of het genootschap indien enige zodanigen gekozen zullen worden in termen van paragraaf (1).

4. Dat niemand toegelaten zal zijn op het eigendom van de inrichting een publiek huis of kantien te houden en dat niettegenstaande iets in strijd vervat in Wet No. 28 van 1883 of een andere wet, het niet wettig zal zijn om een dranklicentie toe te kennen binnen het gebied van jurisdictie van de Raad van Beheer.

5. Dat niemand zonder de toestemming van de Voorzitter van de Raad toegelaten zal zijn om wijn of brandewijn of andere sterke dranken op het eigendom te brengen of dit te verkopen op straffe van uitwerping als voorzien in paragraaf (7) hiervan.

6. Dat niemand behalve met de toestemming van de Raad van Beheer toegelaten zal zijn om danspartijen te houden, noch enige andere samenkomsten die in strijd zijn met de godsdienstige beginselen van de meerderheid van de leden van de kerk woonachtig op het eigendom.

7. Dat een ieder die de voorwaarden van paragrafen (5) of (6) verbreekt onderhevig zal zijn aan uitwerping op bevel van de Voorzitter van de Raad van Beheer na behoorlijk onderzoek ingesteld werd en na met de Raad geraadpleegd te hebben, zonder het recht van schadeloosstelling anders dan zodanige als de Raad mag goedkeuren na regeling van het recht van bewoning en aangebrachte verbeteringen door zodanige persoon.

8. Dat voor de gelden uitgegeven voor de watervoorraad op het eigendom er geen verantwoordelijkheid op de inwoners zal rusten.

9. Dat de balans op het krediet van de inrichting in handen van de directeuren berusten zal bij de kuratoren maar wie verwezen wordt in paragraaf (3) maar niet gebruikt zal worden behalve met bewilliging van de Raad van Beheer, en dan alleen voor de verbetering van de

Proclamation No. 78 of 1915_P3

130

GOVERNMENT GAZETTE, 23RD JULY, 1915.

and then only for the betterment of the church, school, or parsonage, and that the interest of this sum shall be applied to the maintenance of the buildings aforesaid.

10. That whereas certain occupiers are now paying to church funds £3 per annum, as substituted occupiers in the place of original holders, these occupiers may purchase their occupation rights at a fair valuation to be made in terms of section *four* of the Act, which, however, shall not be less than twenty years' purchase, i.e. £60, less the erfholder's rate of £1 per annum, or a net amount of £40, and any moneys realized under this condition shall be subject to the conditions of paragraph 9.

11. That any inhabitant who may be considered as notoriously practising gross immorality may upon complaint of the church authorities and after representation by the Board be liable to ejection by order of the Chairman, subject to the payment to him of compensation in respect of his holding and improvements.

12. That the residents at Pniel shall pay as a minimum contribution to the salary of the minister the following annual rates, namely: Erfholders, 20s., heads of families who hold under erfholders, 12s., tenants of mission premises (i.e. substitutes of original allottees referred to in paragraph 10), 60s. (until commutation upon the erfholder basis), and heads of families who are sub-tenants, or lodgers, 8s.; and also in each case a minimum annual rate of 6s. for general expenditure.

13. That the moneys payable to church funds in terms of these conditions shall be collected by, and paid to the Board of Management, and that the Board shall be liable for payment of these moneys to the trustees referred to in section 3.

* No. 79, 1915.]

UNDER and by virtue of the powers and authorities vested in me by section *sixteen* of the South Africa Act 1909, and by sections *fourteen* and *forty* of the Mineral Law Amendment Act 1907 (No. 16 of 1907) and section *five* of the Precious Stones Act Amendment Act 1907 (No. 27 of 1907) of the Province of the Cape of Good Hope, I do hereby declare, proclaim and make known that prospecting for precious and base minerals and precious stones is prohibited on the Crown Lands situated in the Province of the Cape of Good Hope and detailed in the attached schedule, such prohibition to remain in force only until such time as the land has been disposed of.

GOD SAVE THE KING.

Given under my Hand and the Great Seal of the Union of South Africa at Durban on this the Fifteenth day of July One thousand Nine hundred and Fifteen.

BUXTON,
Governor-General.

By Command of His Excellency the
Governor-General-in-Council.

T. WATT.

SCHEDULE.

DIVISION OF LAINGSBURG.

Field Cornetcy No. 3, Gouph.

Gemsbok Fontein A, B, and C (formerly Gemsbok Fontein).

kerk, school of pastorie en dat de rente van het bedrag gebruik zal worden voor het onderhoud van de gebouwen voormeld.

10. Dat nademaal zekere bewoners nu aan het kerkfonds £3 per jaar betalen, als substitute bewoners in plaats van oorspronkelijke houders, deze bewoners hun recht van bewoning mogen kopen tegen een billike waardering te worden gemaakt in termen van artikel *vier* van de wet welke echter niet minder zal zijn dan twintig jaar koping, d.i. £60 min de belasting van de erfhouders van £1 per jaar of een netto bedrag van £40, en gelden bekomen onder deze voorwaarde zullen onderworpen zijn aan de voorwaarden van paragraaf (9).

11. Dat enig inwoner, die geacht mag worden als afstotelijk pleger van grove onzedelijkheid, op aanklacht van de gezaghebbenden van de kerk en op voordracht van de Raad onderhevig zal zijn aan uitwerping op bevel van de Voorzitter, onderworpen aan de betaling aan hem van schade-loosstelling ten aanzien van zijn toewijzing en verbeteringen.

12. Dat de inwoners van Pniel als een minimum bijdrage tot het salaris van de predikant de volgende belasting jaarliks zullen betalen, namelijk: erfhouders, 20s., hoofden van gezinnen die houders zijn onder erfhouders, 12s., huurders van zendingerven [d.i. plaatsvervangers van oorspronkelijke toekenners naar wie verwezen wordt in paragraaf (10), 60s., totdat de bijdrage op de erfhouder grondslag omgezet wordt], en hoofden van gezinnen die onderhuurders zijn of gelogeerden, 8s.; en ook in ieder geval een minimum belasting jaarliks van 6s. voor algemeene uitgaven.

13. Dat de gelden betaalbaar aan het Kerkfonds in termen van deze voorwaarden ingevorderd zullen worden door, en betaald aan de Raad van Beheer, en dat de Raad onderhevig zal zijn voor de betaling van deze gelden aan de kuratoren naar wie verwezen wordt in artikel (3).

* No. 79, 1915.]

INGEVOLGE en krachtens de macht en bevoegdheid mij verleend bij artikel *zestien* van de Zuid-Afrika Wet, 1909, en bij artikels *veertien* en *veertig* van de Minerale Wet Wijzigingswet, 1907 (No. 16 van 1907) en artikel *vijf* van de Edelgesteenten Wet Wijzigingswet, 1907 (No. 27 van 1907), van de Provincie Kaap de Goede Hoop, verklaar, proklameer en maak ik hiermede bekend, dat het prospekteren naar edele en onedele mineralen en edelgesteenten verboden is op de Kroongronden, gelegen in de Provincie Kaap de Goede Hoop en in bijgaande bijlage uiteengezet; zodanig verbod slechts zolang van kracht te blijven totdat de grond van de hand is gezet.

GOD BEHOEDE DE KONING.

Gegeven onder mijn Hand en het Grootzegel van de Unie van Zuid-Afrika, te Durban, op heden de Vijftiende dag van Julie Een duizend Negen honderd en Vijftien.

BUXTON,
Goeverneur-generaal.

Op last van Zijn Excellentie de
Goeverneur-generaal.

T. WATT.

BIJLAGE.

AFDELING LAINGSBURG.

Veldkornetschap No. 3, Gouph.

Gemsbok Fontein A, B en C (voorheen Gemsbok Fontein).

Proclamation No. 99 of 1968

STAATSKOERANT, 26 APRIL 1968

No. 2055 3

No. 99, 1968.

INCORPORATION OF AN EXISTING AREA WITH AN EXISTING AREA IN TERMS OF ACT No. 24 OF 1963, AS AMENDED BY ACT No. 75 OF 1967.

By virtue of the powers vested in me in terms of section 5 of the Rural Coloured Areas Act, 1963 (Act No. 24 of 1963), as amended by Act No. 75 of 1967, I declare the existing area of Cystergrond as defined in the Schedule to Proclamation No. 32 of 1963, and situate in the Division of Paarl, Province of the Cape of Good Hope, as from the date of publication hereof incorporated with the adjoining existing area of Pniel as defined in Schedule A to Proclamation No. 78 of 1915, situate as above; but not subject to the terms and reservations embodied in Schedule B to the latter Proclamation.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town on this Fourth day of April, One thousand Nine hundred and Sixty-eight.

J. F. NAUDÉ,
Acting State President.

By Order of the Acting State President-in-Council.

M. VILJOEN.

No. 99, 1968.

INLYWING VAN 'N BESTAANDE GEBIED BY 'N BESTAANDE GEBIED KRAGTENS DIE BEPALINGS VAN WET No. 24 VAN 1963, SOOS GEWYSIG BY WET No. 75 VAN 1967.

Kragtens die bevoegdheid my verleen by artikel 5 van die Wet op Landelike Kleurlinggebiede, 1963 (Wet No. 24 van 1963), soos gewysig by Wet No. 75 van 1967, verklaar ek die bestaande gebied Cystergrond wat in die Bylae van Proklamasie No. 32 van 1963 omskryf is en geleë is in die afdeling Paarl, provinsie die Kaap die Goeie Hoop, met ingang van die datum van publikasie hiervan ingelyf by die aangrensende bestaande gebied Pniel wat in Bylae A van Proklamasie No. 78 van 1915 omskryf is en geleë is soos vermeld; maar nie onderworpe aan die voorwaardes en voorbehoude vervat in Skedule B van laasgenoemde Proklamasie nie.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hede die Vierde dag van April Eenduisend Negehoonderd Agt-en-sestig.

J. F. NAUDÉ,
Waarnemende Staatspresident.

Op las van die Waarnemende Staatspresident-in-rade.

M. VILJOEN.

No. 100, 1968.

INCORPORATION OF AN INCORPORATED AREA WITH AN EXISTING AREA IN TERMS OF ACT No. 24 OF 1963, AS AMENDED BY ACT No. 75 OF 1967.

By virtue of the powers vested in me in terms of section 5 of the Rural Coloured Areas Act, 1963 (Act No. 24 of 1963), as amended by Act No. 75 of 1967, I declare the incorporated area of Rietfontein as defined in the Schedule to Proclamation No. 366 of 1966, and situate in the Division of Gordonia, Province of the Cape of Good Hope, as from the date of publication hereof incorporated with the adjoining existing area of Mier as defined in the Schedule to Proclamation No. 108 of 1965, and situate as above.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town on this Fourth day of April, One thousand Nine hundred and Sixty-eight.

J. F. NAUDÉ,
Acting State President.

By Order of the Acting State President-in-Council.

M. VILJOEN.

No. 100, 1968.

INLYWING VAN 'N INGELYFDE GEBIED BY 'N BESTAANDE GEBIED KRAGTENS DIE BEPALINGS VAN WET No. 24 VAN 1963, SOOS GEWYSIG BY WET No. 75 VAN 1967.

Kragtens die bevoegdheid my verleen by artikel 5 van die Wet op Landelike Kleurlinggebiede, 1963 (Wet No. 24 van 1963), soos gewysig by Wet No. 75 van 1967, verklaar ek die ingelyfde gebied Rietfontein wat in die Bylae van Proklamasie No. 366 van 1966 omskryf is en geleë is in die afdeling Gordonia, provinsie die Kaap die Goeie Hoop, met ingang van die datum van publikasie hiervan ingelyf by die aangrensende bestaande gebied Mier wat in die Bylae van Proklamasie No. 108 van 1965 omskryf is en geleë is soos vermeld.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hede die Vierde dag van April Eenduisend Negehoonderd Agt-en-sestig.

J. F. NAUDÉ,
Waarnemende Staatspresident.

Op las van die Waarnemende Staatspresident-in-rade.

M. VILJOEN.

No. 101, 1968.

DECLARATION THAT THE PROVISIONS OF THE RENTS ACT, 1950, SHALL APPLY ALSO IN RESPECT OF THE BUSINESS PREMISES IN A SPECIFIC BUILDING.

Under and by virtue of the powers vested in me, by subsection (1A) of section thirty-three of the Rents Act, 1950 (Act No. 43 of 1950), I do hereby declare that all the provisions of the said Act shall as from the 30th day of November 1967, apply *mutatis mutandis* in respect of—

the business premises in the building known as Annan House on Stands 140 and 141, Marshalltown, situate in Commissioner Street, Johannesburg, in the District of Johannesburg;

No. 101, 1968.

VERKLARING DAT DIE BEPALINGS VAN DIE WET OP HUURGELDE, 1950, OOK VAN TOEPASSING SAL WEES TEN OPSIGTE VAN DIE BESIGHEIDSPERSELE IN 'N SPESIFIEKE GEBOU.

Kragtens die bevoegdheid my verleen by subartikel (1A) van artikel drie-en-dertig van die Wet op Huurgelde, 1950 (Wet No. 43 van 1950), verklaar ek hierby dat al die bepalings van genoemde Wet vanaf die 30ste dag van November 1967 *mutatis mutandis* van toepassing is ten opsigte van—

die besigheidsperselle in die gebou bekend as Annan House op Standplase 140 en 141, Marshalltown, geleë aan Commissionerstraat, Johannesburg, in die distrik Johannesburg;

Proclamation No. 32 of 1963

Republiek van Suid-Afrika

Republic of South Africa



Staatskoerant

Government Gazette

(As 'n Nuusblad by die Privaatvoor Geregistreer) (Registered at the Post Office as a Newspaper)

Vol. VII.]

PRYS 5c.

PRETORIA, 1 MAART 1963.
1 MARCH

PRICE 5c.

[No. 445.]

INHOUD AGTERIN.

CONTENTS ON BACK PAGES.

PROKLAMASIES

VAN DIE STAATSPRESIDENT VAN DIE REPUBLIEK VAN
SUID-AFRIKA.

No. 31, 1963.]

Kragtens die bevoegdheid my verleen by subartikel (3) van artikel een van die Wet op Onwettige Organisasies, 1960 (Wet No. 34 van 1960), verleng ek hierby die duur van Proklamasie No. 119 van 8 April 1960 (welke Proklamasie by Proklamasies No. 83 van 1961 en No. 67 van 1962 tot en met 6 April 1962 en 6 April 1963, onderskeidelik, verleng is) vir 'n verdere tydperk van twaalf maande met ingang van die sewende dag van April 1963.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hede die Sesde dag van Februarie Eenduisend Negehoonderd Drie-en-sestig.

C. R. SWART,
Staatspresident.

Op las van die Staatspresident-in-rade.

B. J. VORSTER.

No. 32, 1963.]

VOORBEHOUD VAN LANDELIKE GEBIED VIR
OKKUPASIE EN BESIT DEUR KLEURLINGE.

Kragtens die bevoegdheid my verleen by paragraaf (a) van subartikel (1) van artikel drie van die Wet vir die Behoud van Kleurlinggebiede, 1961 (Wet No. 31 van 1961), behou ek hierby, nadat die Minister van Kleurlingsake die wettige inwoners en eienaars van die betrokke gebied geraadpleeg het, met ingang van die datum van publikasie hiervan, die in die Bylae hierby omskrewe landelike gebied, bekend as „Cystergrond”, in die afdeling Paarl, Provinsie Kaap die Goeie Hoop, wat by die inwerkingtreëding van gemelde Wet 'n tradisionele of plaaslik erkende Kleurlinggebied was wat hoofsaaklik deur Kleurlinge geokkupeer of besit word, vir okkupasie en besit deur Kleurlinge voor.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hede die Sesde dag van Februarie Eenduisend Negehoonderd Drie-en-sestig.

C. R. SWART,
Staatspresident.

Op las van die Staatspresident-in-rade.

P. W. BOTHA.

BYLAE.

Vanaf die noordwestelike baken van Gedeelte 2 van die plaas Lot 1 (Kartaat 39/1899) in 'n suidoostelike rigting langs die grense van die volgende eiendomme sodat dit by hierdie gebied ingesluit word, naamlik, die genoemde Gedeelte 2, Gedeelte 1 (Kartaat 227/1931), Gedeelte 3 (Kartaat 226/1931) en die genoemde Gedeelte 2 tot by die oorgenoemde baken.

I-3570047

PROCLAMATIONS

BY THE STATE PRESIDENT OF THE REPUBLIC OF SOUTH
AFRICA.

No. 31, 1963.]

By virtue of the powers vested in me by sub-section (3) of section one of the Unlawful Organizations Act, 1960 (Act No. 34 of 1960), I hereby extend the duration of Proclamation No. 119, dated the 8th April, 1960 (extended by Proclamations No. 83 of 1961 and No. 67 of 1962 up to and including the 6th April, 1962, and 6th April, 1963, respectively), for a further period of twelve months with effect from the seventh day of April, 1963.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town on this Sixth day of February, One thousand Nine hundred and Sixty-three.

C. R. SWART,
State President.

By Command of the State President-in-Council.

B. J. VORSTER.

No. 32, 1963.]

RESERVATION OF RURAL AREA FOR THE
OCCUPATION AND OWNERSHIP OF
COLOURED PERSONS.

Under the powers vested in me by paragraph (a) of sub-section (1) of section three of the Preservation of Coloured Areas Act, 1961 (Act No. 31 of 1961), I, after the Minister of Coloured Affairs has consulted the lawful inhabitants and owners of the area concerned, hereby reserve, as from the date of publication hereof for the occupation and ownership of Coloured persons the rural area, known as Cystergrond, in the division of Paarl, Province of the Cape of Good Hope, defined in the Schedule hereto, which, at the coming into operation of the said Act, has been traditionally or locally acknowledged Coloured area which is mainly occupied or owned by Coloured persons.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town on this Sixth day of February, One thousand Nine hundred and Sixty-three.

C. R. SWART,
State President.

By Order of the State President-in-Council.

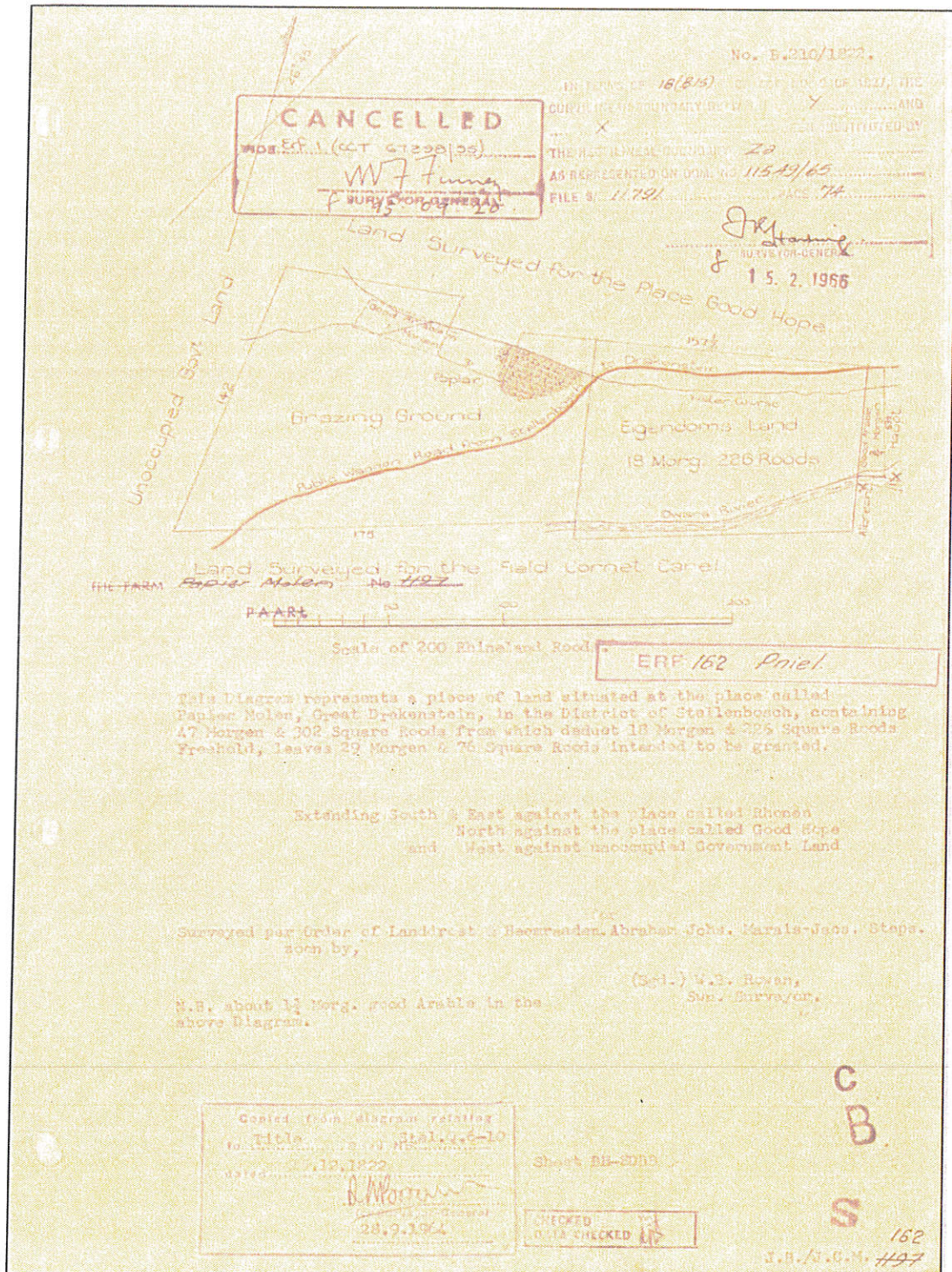
P. W. BOTHA.

SCHEDULE.

From the north-western beacon of Portion 2 of the farm Lot 1 (Diagram 39/1899) in a south-easterly direction along the boundaries of the following properties so as to include them in this area, viz., the said Portion 2, Portion 1 (Diagram 227/1931), Portion 3 (Diagram 226/1931) and the said Portion 2 to the beacon first named.

I-445

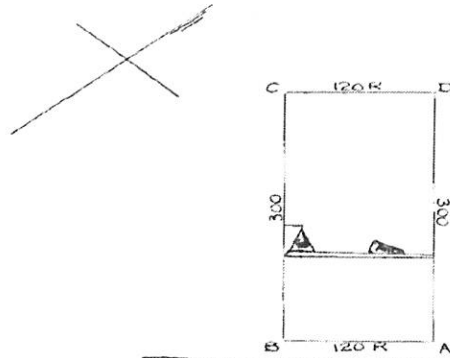
Papier Molen farm No. 1197 (now erf 162)



De Goede Hoop Farm 1194 front page

No. 23/1708

*Ran included in Consol
Vede dgm no 2853/2005
Farm 1674*



ERF
DIE PLAAS *De Goede Hoop* Nr. *1194*

PAARL

20 40 60 80 100 120 140 160 180 200 220 240 260 280 300

Schaal van 300 Rhy.nl. Roeden

"de Goede Hoop"

Bovenstaande Figuur A.B.C.D.A. inhoudende
60 Morgen

door my gemeeten.

(Get.) K.J.Slotzboo

Afskrif van kaart waarna verwys word
In G/B O.S.F. 2-4
gedateer 23-5-1708
K.J. Slotzboo
Landmeester-Generaal.
23-9-1966

Sht. BH-8DBB

afskryfings
K. J. Slotzboo

GR

1194

Erf 152 Pniel back page (deduction list)

THE FOLLOWING ARE THE DEDUCTIONS WHICH HAVE BEEN MADE FROM THE DIAGRAM.					
Ref. No.	Area	Part	No.	Sq. Ft.	Cost
E152/1930	A665/1930	Part-A Pniel	1	18200	12,8,1931 5895

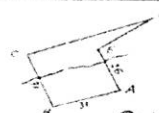
De Goede Hoop Farm 1194 back page (deduction list)

DIE VOLGENDE AFTREKKING IS VAN HIERDIE KAART GEDOEN.				
Opmetings- stukke.	Kaart no.	Ondervardeling.	Grootte.	Akte.
		Ged. / in groen	20	1784-1-63 ¹ / ₂
		Ged. 6 in blou	- 307 ¹ / ₂	1843-14-32
		Ged. 7 in pink	- 421 72	1860-51-218
		Ged. 8 A	- 298 83	1867-42-169
		Ged. 9 B	- 251 99	1893-71-5566

Erf 150 Pniel

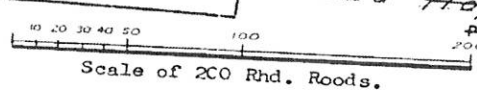
No. 31/1825 ✓

CANCELLED
ERF 150 (GOT 67292/25)
W.B. Rowan
SURVEYOR-GENERAL
25.11.1825



ERF 150 Pniel

(in ged. en van Gedachte
van die plaas
Nr. 493
PAART



The above Diagram A.B.C.D.E. represents a part of the place called Good Hoop, situated in Great Drakenstein in the District of Stellenbosch, containing 1 Morgen 515 Square Roods of Perpetual Quitrent.

Extending Northwards to the remainder of the Quitrent West, South & East to the land Surveyed for the place, Papier Molen.

Divided by me,

(Sgd.) W.B. Rowan.
Sworn Surveyor.

Copied from diagram relative
to Transfer Deed No. 141
dated 25.11.1825 (Vol. 4)
W.B. Rowan
Surveyor-General
12.1.1966

HI/JW

COPIED
D. TA. CANCELED

C

150
152
493/6

Erf 1 Pniel back page (deduction list)

SURVEY RECORD	DIMENSION NO.	DESCRIPTION	AREA	TRANSFER NO.	INITIALED	REMBR.
E.954/87	3133/87	Erf 143	10,2894ha	67299/95	WT	
E.2078/88	6017/88	Erf 260	4,7379ha	67299/95	WT	
E3346/93	9952/93	Erf 278	7,5043ha	67299/95	WT	} Plot in INACURATE Figure.
E 1124/94	3165/94	Erf 601	6,4862ha	67299/95	WT	
E 1697/94	5105/94	ERF 600	4,7618ha	67306/95	WT	

SURVEY RECORD	DIMENSION NO.	DESCRIPTION	AREA	INITIALED
9/2012	22/2012	The line xy represents the middle of a water pipeline servitude 3,00 metres wide as shown		

Portion 5 of farm 1201 front page

1571/82

SYE Kaart-No. voet meter	HOOGTE -HOEKE	KOORDINATE	
		Y	X
AB	102,2	84 50 30	A - 43 699,3 - 4 393,9
BC	282,8	122 54 00	B - 44 045,2 - 4 323,8
CD	296,5	65 53 40	C - 44 153,9 - 4 062,7
DE	17,2	183 04 10	D - 43 857,5 - 4 070,4
EF	6,1	267 32 50	E - 43 840,2 - 4 070,0
FG	210,4	90 45 30	F - 43 840,1 - 4 063,9
GMA	330,8	84 59 20	G - 43 629,7 - 4 064,3

Bakenbeskrywings

A Ysterpaalpen teenaan ysterk-drd.paal in klipstapel
 B Gemesselde baken, 0,8m hoog met 1,7m voet
 C Klip 0,2 x 0,15 x 0,61 m hoog
 D In hoë Ysterpaal in klipstapel
 E Ysterpen in 1,8 x 1,2 m hoë klipstapel
 F Transpoor met ysterpaalpen teenaan in klipstapel

(1) Die figuur, vBcyw, wat die Restant van Gedeelte 1 van die PLAAS No. 1201, voorstel.
 Kaart No. 227/1931 T/A 1885,35,388

(2) Die figuur, ADuDEFG, wat Gedeelte 2 van die PLAAS No. 1201, voorstel.
 Kaart No. ~~224/1931~~ 39/1893 T/A 1899,127,9532

(3) Die figuur, vvwxyD, wat Gedeelte 3 (in gedeelte van Gedeelte 1) van die PLAAS No. 1201, voorstel.
 Kaart No. 226/1931 T/A 1943,103,5122

Die figuur A B C D E F G
 stel voor: 13,1747 hektaar grond synde 43 704,7

GEDEELTE 5 van die PLAAS No. 1201 en bestaan uit 1 - sien hierbo -
 geleë in die Administratiewe Distrik
 PABAL Provinsie Kesa die Goëie Hoop.

Opgemaak in Saasgestel in Oktober 1981 deur my, *[Handwritten Signature]* Landmeter

Hierdie kaart is gehê aan Sort. van Veran. Titel No. T. 12403/1987 gedatêr t.g.v. Registateur van Aktes	Die oorspronklike kaart is <i>soos hierbo beskryf</i> No. <i>gehoeg-aan-</i> Zwaapens/Grondboek No.	Leer No. Parl 1-071 M.S. No. <i>490/32</i> Saasgestel Komo. 3H-3DBB (3779) N 4749 W 1750
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KANTOORAFSKRIF

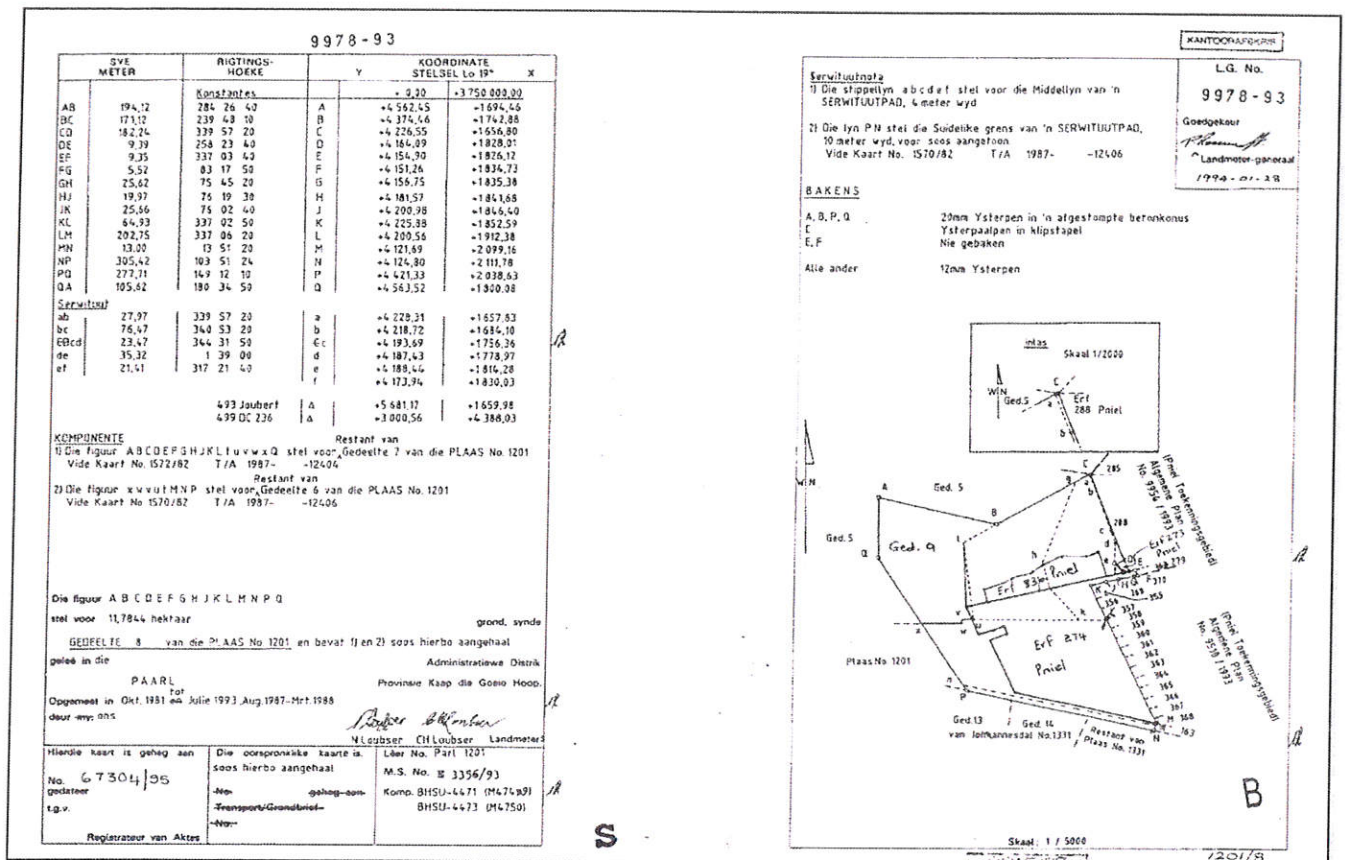
L.G. No.
1571/82
 Goedgekeur
[Handwritten Signature]
 Landmeter-generaal
 23-07-1982

Skaal 1:5000

Portion 5 of farm 1201 back page (deduction list)

NO.	DESKRIPSI	HEKTAAR	DAATUM	OPM	REMARK
1	1500/1201/1000	1,0313	12-10-87	BC	

Portion 8 of farm 1201 front page



Portion 8 of farm 1201 back page (deduction list)

DIE VOLGENDE AFTREKKINGS IS VAN HIERDIE KAART GEDOEN						
HEEF- STUKKE	KAARTNO.	ONDERVER- DELING	GRONTOFF- MAATSKAP	ARTENO.	DEPARA- FEER	RESTANT
E 3356/93	9977/93	Erf 274 Priel	4,2241 ha	67305/95	WVF	
E 2784/94	8465/94	Erf 273 Priel	130,500			
E 504/900	1200/1200	Erf 836 Priel	5,241,2			
E 349/2004	916/2004	Ged. 9				



rural development
& land reform

Department:
Rural Development and Land Reform
REPUBLIC OF SOUTH AFRICA

Chief Directorate: National Geospatial Information

Private Bag X 10, Mowbray, 7705; Tel: 021-6584300; Fax: 021-6891351;

Van der Sterr Building, Rhodes Avenue, Mowbray, 7705

PNIEL TRANCRAA PROPERTY REPORT

PHASE 2

By: Ndinae Netshivhangoni / Professional Land Survey / Department of Rural Development and Land Reform / National Geo-Spatial Information System / 021 658 4478

Phase 2

1. Remainder of the trust land or land under section 3 of TRANCRAA.

Phase two looks into subdivisions that affect the original trust land so as to arrive at the remaining extent of the subject land. The remaining extent is then dealt with under section 3 of TRANCRAA and is the land to be transferred to the community's legal entity of their choice. One have to acknowledge that over the years trust land have changed in size, ownership, shape, etc. Certain developments most of which are for the benefit of the community like townships establishment have taken place over trust land. With that in mind it must be clear that the land to be transferred to the community is only the remaining extent of the trust land as the other land might have changed hands. This phase looks only on a high level subdivisions and not what happened with such subdivisions later. More detailed investigation (**one that looks into these subdivisions on a lower level**) need to follow. It can also be possible that in some cases trust land does not exist anymore but there seem to be bits and pieces that can possibly still form part of section 3 land in Pniel.

SG Approval	Deed	Property description	Area (hectares)		General Plan	Erven	Comments
Proclamation 78 of 1915 land							
1. erf 162 (part of Papier Molen)				24.9479	No subdivision on this property		
2. Portion 1 of farm 1194 (part of Papier Molen)				17.1306	See below for subdivision		
3. Erf 150 (part of Papier Molen)				1.5917	No subdivision on this property		
4. Erf 152				1.1243	See below for subdivision		
Portion 1 of farm 1194 subdivisions				17.1306			
1787		ptn2(erf 159)	11.6488	5.4818			
1826		Ptn3(erf 160)	1.4846	3.9972	Consolidated to farm 1647		
		Remainder		3.9972			
Portion 2 (ptn of ptn 1) of farm 1194 (erf 159)				11.6488			
1930		Ptn10(erf 155)	2.0786	9.5702			
1826		Ptn5	0.2855	9.2847			
		Remainder		9.2847			
Erf 152 subdivisions				1.1243			
1930	T5895/1931	Erf 153	1.0371	0.0872			
		Remainder		0.0872			
Erf 1				39.0788			
Five properties from this proclamation were							

consolidated into erf 1. Those are erf 162, 150, re/erf 152, re/erf 159, re/erf 158. Another property which was also included in the consol but did not form part of the proclamation is erf 161.							
Erf 1 subdivisions				39.0788			
1987	T67299/1995	Erf 143	10.2894	28.7894	GP 8711/1993		CCT 142
1988	T67299/1996	Er 260	4.7379	24.0515	GP 9510/1993		CCT 163
1993	T67299/1997	Erf 278	7.5043	16.5472	GP 9954/1993		CCT 279
1994	T67299/1998	Erf 601	6.4862	10.0610	GP 3167/1994		CCT 602
1994	T67306/1995	Erf 600	4.7618	5.2992	GP 5106/1994	758-817	
Remainder				5.2992			
Proclamation 99 of 1968 and 32 of 1963							
Portion 1 of 1201		All three properties were consolidated into Portion 5 of farm 1201		13.1747			
Portion 2 of 1201							
Portion 3 of 1201							
Portion 5 of farm 1201				13.1747			
1982	T12404/1987	Ptn 7	7.8919	5.2828			
Remainder				5.2828			
Remainder portion 5 was exchanged with 4 properties being ptn 6/1201, ptn7/1193, ptn6/1173 and ptn 1/1176. Re/ptn6/1201 was consolidated with re/ptn7/1201 to Ptn8/1201. Re/ptn7/1193 was consolidated to erf 602. Re/ptn6/1173 and 1/1176 still exist. From this point onwards we must forget about portion 5.						ptn6/1201	6.3033
						ptn 7/1193	0.7332
						ptn 6/1173	0.464
						ptn 1/1176	0.2764
						7.7769	
Portion 7 (ptn of ptn 8) of farm 1201				7.8919			
1988	T67299/95	Erf 257	0.5998	7.2921			
1993	T67299/95	Erf 276	0.846	6.4461			
Remainder				6.4461			
Portion 8 of farm 1201							
Remainder ptn 6/1201		The two were consolidated to ptn 8/1201.		11.7844			
Remainder ptn 7/1201							
1993	T67305/1995	Erf 274	4.2241	7.5603	GP 9979/1993	603-674	
1994		Erf 273	0.0186	7.5417	GP 1207/2000	844-864	
2000	T917/2012	Erf 836	0.6844	6.8573			
2004		Ptn 9		6.8573			Reject by SG
Remainder SG				6.8573			
Remainder Deeds				6.8759			

Figure 1: TRANCRAA properties brakedown

Table 1 depicts the breakdown of the TRANCRAA properties as reported on phase 1 report. In summary properties proclaimed under proclamation 78 of 1915 have been consolidated into erf 1 together with another property that did not follow under the proclamation. Erf 1 was further subdivided for township establishment leaving a remainder of 5.2992 ha. Most of the land on this remainder is not suitable for development as it falls on the road and cemetery.

The table also shows a breakdown of the property incorporated by proclamation 99 of 1968 and 32 of 1963 being portion 5 of the farm 1201. The table further indicates that this property was subdivided once by ptn 7/1201 leaving a remainder of 5.2828 ha, which was transferred to the Cyster's Family trust in change of four properties. Those are ptn 6/1201, ptn 7/1193, ptn 6/1173 and ptn 1/1176. Re/ptn6/1201 was consolidated with re/ptn7/1201 to Ptn8/1201. Re/ptn7/1193 was consolidated to erf 602. **Re/ptn6/1173 ()** and **1/1176 ()** still exist. From this point onwards we must forget about portion 5.

Remainder portion 7 of the farm 1201 together with remainder portion 6 of the farm 1201 was consolidated into portion 8 of the farm 1201. Portion 8 was subdivided for township establishment leaving a remainder of 6.8759 ha and this is the only land which have development opportunities.



Figure 1.1: Subdivisions global overview

As it stands at the Surveyor General Office these are all the subdivisions from TRANCRAA properties in Pniel at a higher level leaving the remaining extent of:

- **Erf 1** = **5.2992 ha** as per both SGO and Deeds
- **Ptn 8** = **6.8573 ha** as per SGO (6.8759 as per Deeds)
- **Re/ptn 6/1173** = **0.2764 ha** as per both SGO and Deeds
- **Ptn 1/1176** = **0.4640 ha** as per both SGO and Deeds

These are confirmed section 3 farms

These subdivisions include proposed subdivisions (marked red) that are currently not registered on the Title Deed and may be registered anytime. So it is advisable to rely at the Deeds office area in terms of the remaining extent. Another reason as to why Registrar of Deeds extent must be used is the fact that these areas were converted from old units (Morgen, Cape SQ. roods, etc) to matrix units (m², hectares, etc). Due to the fact that SG and Deeds office might have slightly differ with the conversion factor depending on the conversion tool used. The office of the Registrar of Deeds is the only office by law that registers a property against its extent, hence the reason why their records should be used when dealing with extent of a property unless there is a big difference between the two.

Erf 160 = 1.7701 ha this property has been consolidated with farm 1647.

Deeds must still investigate the history of erf 160 as the property does no longer exist because is been consolidated into farm 1647.

2. Unregistered subdivisions

Erf 273 is not clear what was that erf reserved for but it'll be advisable for it to be registered as soon as possible.

3. Recommendation and conclusion

It is recommended that erf 273 being the only unregistered/proposed subdivisions to be deducted from the title of portion 8 before transfer. Alternatively it can be noted on the memo to the minister so that both the minister and the community are aware that the land to be transferred is

subjected to this subdivision and the extent therefore might reduce in the future. Note that the extent to be transferred to the community is that noted on the Deeds office not SGO.


Netshivhangoni NL

02 July 2016
Date

Annexures

Erf 1, Rem Ptn 5 and Ptn 8 of farm 1201



Unregistered Erf 273



