

NOTICE OF LAND DEVELOPMENT APPLICATION TO INTERESTED AND AFFECTED PARTIES FOR COMMENT

Affected person's Name

Affected persons Physical Address

Dear Sir/ Madam

The following land use application in terms of the Stellenbosch Land Use Planning Bylaw, 2015, refers:

Application Property Address: Polkadraaipad

Application Property Number: FARM 401/1, FARM 1378/1, FARM 402/19 AND FARM 1594 ,
STELLENBOSCH DIVISION

Applicant: D.P. Burger for Friedlaender Burger Volkmann

Owners: JR Farming Trust, Agriculture Marketing (Pty) Ltd, Reynecke Wine Properties(pty) Ltd
and De Voetberg Trust

Application Reference: LU/ 13349

Application Type: APPLICATION FOR SUBDIVISION AND CONSOLIDATION

Detailed description of land use or development proposal, including its intent and purpose:

1. Application is made in terms of Section 15(2)(d) of the Stellenbosch Land Use Planning By-Law, 2015 for the Subdivision of Farm 1378/1, Farm 402/19 and Farm 1594 into Portions A ($\pm 1,28$ ha), B ($\pm 2,22$ ha) and C ($\pm 5,86$ ha) respectively.
2. Application is made in terms of Section 15(2)(e) of the Stellenbosch Land Use Planning By-Law, 2015 for the Consolidation of the subdivided Portion A and B with Farm 401/1 and the Consolidation of subdivided Portion C with the Remainder of Farm 402/19

Notice is hereby given in terms of the provisions of Section 46 of the said Bylaw that the above-mentioned application has been submitted to the Stellenbosch Municipality for consideration. The application is available for inspection on the Planning Portal of the Stellenbosch Municipal Website for the duration of the public participation process at the following address: <https://www.stellenbosch.gov.za/planning/documents/planning-notices/land-use-applications-advertisements>. If the website or documents cannot be accessed, an electronic copy of the application can be requested from the Applicant.

You are hereby invited to submit comments and / or objections on the application in terms of Section 50 of the said bylaw with the following requirements and particulars:

- The comments must be made in writing;
- The comments must refer to the Application Reference Number and Address,
- The name of the person that submits the comments;
- The physical address and contact details of the person submitting the comments;
- The interest that the person has in the subject application;

- The reasons for the comments, which must be set out in sufficient detail in order to:
 - Indicate the facts and circumstances that explain the comments;
 - Where relevant demonstrate the undesirable effect that the application will have if approved;
 - Where relevant demonstrate any aspect of the application that is not considered consistent with applicable policy; and
 - Enable the applicant to respond to the comments.

The comments must be addressed to the applicant by electronic mail as follows:

e-mail comment@fbvsurvey.co.za attention Damien Burger.

By lodging an objection, comment or representation, the person doing so acknowledges that information may be made available to the public and to the applicant.

The comments must be submitted within 30 days from the date of this notice to be received on or before the closing date of 18 April 2022

It should be noted that the Municipality, in terms of Section 50(5) of the said Bylaw, may refuse to accept any comments/ objection received after the closing date.

For any enquiries on the Application or the above requirements, or if you are unable to write and /or submit your comments as provided for, you may contact the Applicant for assistance at the e-mail address provided or telephonically at 021-8864004 during normal office hours.

Yours faithfully

D.P.Burger

**KENNISGEWING VAN GROND ONTWIKKELINGS AANSOEK AAN GEÏNTERESSEERDE EN
GEAFFEKTEERDE PARTYE VIR KOMMENTAAR.**

Naam van geaffekteerde persoon

Fisiese adres van geaffekteerde persoon

Geagte Meneer/Mevrou

Die volgende grondgebruiksaansoek in terme van Stellenbosch se Verordeninge op Grondgebruikbeplanning, 2015, verwys:

Adres van aansoek eiendom: Polkadraaipad

Aansoek eiendom beskrywing: : PLAAS 401/1, PLAAS 1378/1, PLAAS 402/19 AND PLAAS 1594, STELLENBOSCH AFDELING

Aansoeker: D.P.Burger vir Friedlaender Burger Volkmann

Eienaars: JR Farming Trust, Agriculture Marketing (Pty) Ltd, Reynecke Wine Properties(pty) Ltd and De Voetberg Trust

Aansoek Verwysing: LU/ 13349

Tipe Aansoek: Aansoek vir Onderverdeling en Konsolidasie

Besonderhede van die grondgebruiksaansoek, insluitende die doel en uitkoms:

1. Aansoek word gedoen in terme van Artikel 15(2)(d) van die Stellenbosch Munisipale Verordening op Grondverbruiksbeplanning , 2015 vir die Onderverdeling van Plaas 1378/1,Plaas 402/19 en Plaas 1594 in Gedeeltes A($\pm$ 1,28ha), B($\pm$ 2,22ha) en C ($\pm$ 5,86ha) onderskeidelik.
2. Aansoek word gedoen in terme van Artikel 15(2)(e) van die Stellenbosch Munisipale Verordening op Grondverbruiksbeplanning ,2015 vir die Konsolidasie van onderverdeelde Gedeeltes A and B met Plaas 401/1 and die Konsolidasie van onderverdeelde Gedeelte C met die Restant van Plaas 402/19

Kennis word hiermee gegee in terme van die voorskrifte van Artikel 46 van die genoemde Verordeninge dat bovermelde aansoek by die Stellenbosch Munisipaliteit ingedien is vir oorweging. Die aansoek is beskikbaar vir insae op die Beplannings Portaal van die Stellenbosch Munisipaliteit se Webtuiste vir die tydspan van die publieke deelname proses by die volgende adres:

<https://www.stellenbosch.gov.za/planning/documents/planning-notice/land-use-applications-advertisements>.

Indien die webtuiste of tersaaklike dokumente nie toeganklik is nie, kan die Aansoeker versoek word om 'n elektroniese kopie van die aansoek beskikbaar te stel.

Kommentaar en/ of besware kan vervolgens gedien word op die aansoek in terms van Artikel 50 van die tersaaklike Verordening wat die volgende vereistes en besonderhede moet bevat:

- Die kommentaar moet skriftelik wees;
- Die kommentaar moet die aansoek se verwysings nommer en adres insluit;
- Die naam van die persoon wat die kommentaar lewer;
- Die fisiese adres en kontak besonderhede van die persoon wat die kommentaar lewer.
- Die belang wat die persoon wat die kommentaar lewer, in die aansoek het.
- Die redes vir die kommentaar wat gelewer word, welke redes genoegsame besonderhede moet bevat ten opsigte van die volgende aspekte:
 - Die feite en omstandighede aantoon wat die die kommentaar toelig;
 - Indien toepaslik, aantoon wat die onwenslike resultaat sal wees indien die aansoek goedgekeur word;
 - Waar toepaslik moet aangetoon word indien enige aspek van die aansoek strydig geag word met enige relevante beleid;
 - Dat die insette voldoende inligting sal gee wat die aansoeker in staat sal stel om kommentaar daarop te lewer.

Die kommentaar moet by wyse van elektroniese pos aan die Aansoeker gestuur word as volg: comment@fbvsurvey.co.za vir aandag Damien Burger.

Deur 'n beswaar, kommentaar of verhoë te rig, erken die persoon wat dit doen dat inligting aan die publiek en aan die aansoeker beskikbaar gestel kan word.

Die kommentaar moet binne 30 dae vanaf die datum van hierdie kennisgewing gestuur word en moet ontvang word voor of op die laaste dag van die sluitings datum van **18 April 2022**

Daar moet kennis geneem word dat die Munisipaliteit, in terme van Artikel 50(5) van die vermelde Verordeninge, mag weier om enige kommentaar / beswaar te aanvaar wat na die sluitingsdatum ontvang word.

Indien daar enige navrae op die aansoek of bovermelde vereistes vir die lewer van kommentaar is, of indien dit nie moontlik is om geskrewe kommentaar te lewer of die kommentaar op die wyse te lewer soos voorsienning gemaak is nie, kan die Aansoeker geskakel word vir bystand by die vermelde elektroniese pos adres of telefonies by by 021-8864004 gedurende normale kantoor ure.

Die uwe

D.P. Burger

Executive summary
Proposed Subdivisions

**Portion 19 Farm No. 402
Portion 1 of Farm No. 1378
and
Farm No. 1594**

and Consolidation with

**Portion 1 of Farm No.401
and
Remainder Portion 19 of Farm No. 402**

Western Cape Province

Prepared by

Friedlander, Burger and Volkmann
39 Herte Street, Stellenbosch, 7600 | P.O. Box 154, Stellenbosch, 7599
Tel +27 21 8864004 Fax +27 21 8878088 Email info@fbvsurvey.co.za

1 Proposal

Acting on behalf of the owners of Portion 1 of Farm No. 401, Portion 19 of farm No. 402, Portion 1 of Farm No. 1378 and Farm No. 1594 ; Stellenbosch ("the properties") we propose to adjust the boundary of Portion 19 of Farm No. 402 and consolidation two portions of land with Portion 1 of Farm No. 401. A locality plan is provided as **Annexure 1** and a plan of proposed subdivision as **Annexure 2**.

In terms of Section 15(2)(d) and 15(2)(e) of the Stellenbosch Municipality Planning Land Use Planning By-Law, application is therefore made for the

- i. Subdivision of Portion A, in extent $\pm 1,28$ Ha of Portion 1 of Farm No. 1378 Stellenbosch leaving a remainder of $\pm 13,83$,
- ii. Subdivision of Portion B, in extent $\pm 2,22$ Ha of Portion 19 of Farm No. 402 Stellenbosch leaving a remainder of $\pm 34,52$
- iii. Subdivision of Portion C, in extent $\pm 5,86$ Ha of Farm No. 1594 Stellenbosch leaving a remainder of $\pm 32,96$, and
- iv. Consolidation of Portion A and B with Portion 1 of Farm No. 401
- v. Consolidation of Portion C with Remainder of Portion 19 of Farm No. 402

2 The Farms

The properties are owned by:

Portion 1 of Farm No. 1378 – Agriculture Marketing (Pty) Ltd– measuring 15,1567 ha

Portion 19 of Farm No. 402 - JR Farming Trust- measuring 36,7543 ha

Farm No. 1594 - Reynecke Wines Properties (Pty) Ltd– measuring 38,8266 ha

Portion 1 of Farm No. 401 - De Voetberg Trust– measuring 2,1590 ha

The properties are situated along the old Polkadraai Road in an area comprising of smallholdings and larger wines farms.

The properties are all zoned Agriculture and Rural

Farm 1594 - an existing wine farm comprising of 30ha of existing vineyard with an additional 7ha of potential vineyard (re planting)

Portion 19 of Farm No. 402 - an existing wine farm specialising in biodynamic winemaking that links the vineyards with vegetable gardens and animal husbandry

Portion 1 Farm No. 1378 – a small holding with 3ha vineyard, 7 ha of paddock and equestrian activities

Portion 1 Farm No. 401 – a smallholding with no real agricultural activities.

In summary, two wine farms, an equestrian estate and a smallholding.

3 Reason for the proposal

The smallholding on Portion 1 Farm No 401 is looking to increase the agricultural activities on the property and would like to acquire as much land around the property to preserve the existing vineyards without influencing the agricultural potential of the surrounding properties.

This has triggered a series of proposed land transactions that ultimately lead to a better utilisation of all the land from an agricultural perspective.

4 Motivation

The competent authority dealing with the subdivision of Agricultural Land in terms of Act 70 of 1970 has issued the consent. In issuing the consent for subdivision, the Department is satisfied that the application has met the conditions required for the subdivision of agricultural land. Conditions pertaining to this consent stipulate that all the subdivisions must be consolidated with the adjoining properties.

Portion 1 of Farm No. 1378 is an equestrian estate with 3ha of vineyards. They would like to continue to concentrate on equestrian activities and are prepared to release the 1.28ha of existing vineyards and expand the equestrian activities into the remainder of the vineyard block. This will have no significant negative impact to local agriculture as the farm is well below the DAFF guidelines for an economic unit.

Portion 19 of Farm No. 402 is well known for its biodynamic winemaking. They would like to include one of the existing vineyard blocks from Farm No. 1594 to complement the existing vineyards in line with the future planning for the estate. In order to finance the transaction and without negatively impacting on their vineyards and the existing production, they are prepared to release 2.22 ha of existing vineyards.

No additional land unit is created and the application is a general adjustment of boundaries that has no or little impact on the properties that are giving off land.

5 Summary

Farm No. 1594 releases 5,86ha of land of which only 3 hectares is currently planted. The loss of this vineyard block will not influence the rest of the farm as the Remaining extent is still 33 ha mainly of existing vineyards

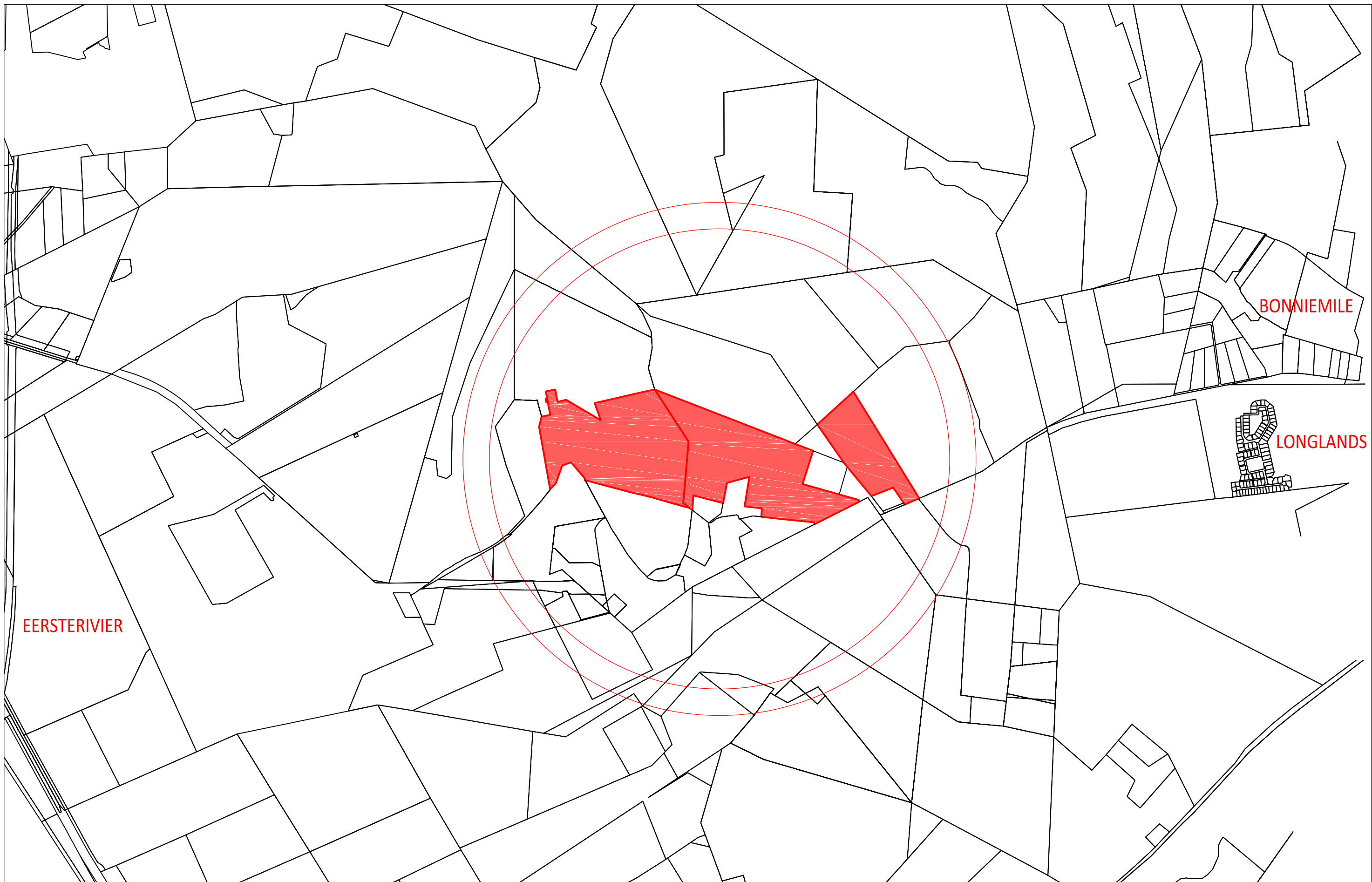
Portion 19 releases 2.22 ha, but gains 5.86ha of land, better suited to the future development of the farm and complimentary to the existing vineyards.

Portion 1 of Farm 1378 releases 1.28ha that does not affect the requirements as an equestrian estate.

Portion 1 of Farm No. 401 increases in size with 3.5ha of vineyard

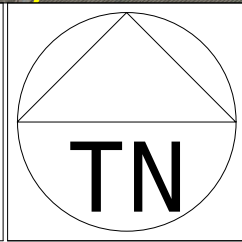
There is no fragmentation of agricultural land as no additional property is created with the implementation of the consolidation condition contained in the Act 70/1970 approval

The application is in line with the principles of both the IDP and SDF. There is no negative impact on the natural environment, cultural heritage or transport as a result of the subdivision and consolidation. There is no new development or change in land use or zoning as a result of the subdivision and consolidation.



<p>Notes:</p> <p>—— - Cadastral Boundary</p>		<p>Caveat</p> <p>1. Any areas and dimensions are provisional and will be finalised at time of subdivision survey.</p> <p>2. All levels are to be confirmed prior to construction.</p>	<p>Scale 1: 20000 @ A3</p>	<p>Date: 26/09/2019</p>	<p>Contours: N/A</p>	<p>System: WG 19</p>
			<p>LOCALITY PLAN</p>	<div><p>friedlaender, burger & volkmann</p><p><small>PROFESSIONAL LAND SURVEYORS, SECTIONAL TITLE CONSULTANTS, MAPPING CONSULTANTS</small></p><p><small>39 Herte Street, Stellenbosch, 7600 • PO Box 154, Stellenbosch, 7599</small></p><p><small>Tel +27 21 886 4004 • Email info@fbvsurvey.co.za</small></p></div>		
			<p>Ref: SA401-1[B]</p>	<p>Dwg: LOCALITY</p>		



<p>Notes:</p> <ol style="list-style-type: none">1. Portion A subdivided off Portion 1 of Farm No. 1378, Stellenbosch.2. Portion B subdivided off Portion 19 of Farm No. 402, Stellenbosch.3. Portion C subdivided off Portion Farm No. 1594, Stellenbosch.4. Portions A & B consolidated with Portion 1 of Farm No. 401, Stellenbosch.5. Portion C to consolidated with Portion 19 of Farm No. 402, Stellenbosch. <p>— - Proposed Subdivision Line — - Cadastral Boundary</p>		<p>Caveat</p> <p>1. Any areas and dimensions are provisional and will be finalised at time of subdivision survey. 2. All levels are to be confirmed prior to construction.</p>	<p>Scale 1: 5000 @ A3</p> <p>Proposed Subdivisions & Consolidations</p> <p>Portions & Farms 401/1, 402/19, 1378/1 & 1594 Stellenbosch</p> <p>Ref: SA401-1[B]</p>	<p>Date: May 2019</p> <p>Dwg: Sub and Consol Plan-REV2</p>	<p>Contours: N/A</p> <p>friedlaender, burger & volkmann</p> <p>PROFESSIONAL LAND SURVEYORS. SECTIONAL TITLE CONSULTANTS. MAPPING CONSULTANTS</p> <p><small>Stellenbosch House 4, Patrykwal, 7600 T +27 21 8864004 Cape Town 150 St. George's Mall, 8000 T +27 21 0071861 Riebeek Kasteel 3 Bergsig, Walter Street, 7500 T +27 22 4481024 enquiries@fbsurvey.co.za • www.fbsurvey.co.za</small></p>	<p>System: WG 19</p>
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TAX INVOICE

STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

PO BOX 17, STELLENBOSCH, 7599

PLANNING & ECONOMIC DEVELOPMENT: PLANNING

DATE:	2021-10-26	DOCUMENT NO:	716016
ERF / FARM NO:	401/1	CREATED BY:	Salome NEWMAN
LOCALITY:	, STELLENBOSCH FARMS	APPLICATION NO:	LU/13349
OWNER'S NAME:	FRIEDLANDER, BURGER & VOLKMANN	APPLICATION VAT NO:	4130103692
ADDRESS:	P.O BOX 154 STELLENBOSCH 7599	VAT NO:	4700102181
		APPLICANT:	FRIEDLANDER, BURGER & VOLKMANN
		TEL NO:	021 886 4004

FEE DESCRIPTION	AMOUNT PER UNIT (R)	NUMBER OF UNITS	VOTE NUMBER	AMOUNT (R)
SUBDIVISION & CONSOLIDATION - Subdivision & Consolidation (Amendment/Cancellation of Subdivisional Plan / General Plan / Diagram), Per Application	5000.00	1	20180711011497	5000.00
SUBDIVISION & CONSOLIDATION - Subdivision & Consolidation (Amendment/Cancellation of Subdivisional Plan / General Plan / Diagram), Per Application	5000.00	1	20180711011497	5000.00
	0.00	0		0.00

STELLENBOSCH MUNICIPALITY
PLANNING AND DEVELOPMENT SERVICES

22 NOV 2021

RECEIVED

TOTAL AMOUNT PAYABLE 10000.00

VAT INCLUDED @ 15% 1304.35

ALL TARIFFS INCLUDE 15% VAT FROM 1 JULY 2021 TO 30 JUNE 2022

CALCULATED BY

NAME:

SIGNATURE

DATE:

VERIFIED BY

NAME:

SIGNATURE

26.10.2021

DATE:

PAYMENTS MUST BE MADE AT THE APPLICABLE DISTRICT OFFICE
CHEQUES TO BE MADE PAYABLE TO STELLENBOSCH
MUNICIPALITYAPPLICANT TO RETURN THIS FORM TO THE ADVICE CENTRE FOR
DIRECTOR: PLANNING & ECONOMIC DEVELOPMENT

BANKING DETAILS FOR EFT PAYMENT:

ACCOUNT HOLDER: Stellenbosch Municipality
BANK: First National Bank (FNB)
ACCOUNT NUMBER: 62869253684
BRANCH CODE: 210554
REFERENCE: LU/_____ and ERF/FARM_____Please use both the Land Use Application number and the Erf/Farm
number indicated on this invoice as a reference when making EFT
payment.



Proof of payment

Date: 10/11/2021 Time: 4:22:28 PM

Profile name:	FRIEDLAENDER BURGER & VOLKMANN
Batch reference number:	1175487949
Payment reference number:	000000003247858974
Payment date:	10/11/2021
Payment capture date:	10/11/2021
Payment authorise date and time:	10/11/2021 04:22:22 PM
From account name:	FRIEDLAENDER BURGER EN VOLKMAN
From account description:	FRIEDLAENDER BURGER EN VOLKMANN
From account statement description:	MUNICIPAL APPLICATION FEES
Beneficiary account number:	62869253684
Beneficiary/ Recipient name:	STELLENBOSCH MUNICIPALITY - APPLICATIONS
Beneficiary statement description:	LU / 13349 FARM 401/
Branch code:	210554
Amount:	10,000.00
Real-time:	No

Additional comments by payer:

View your account to **confirm that you have received this payment.**

- All payments are subject to clearing rules.

Please refer to landing page for cut off times and telephone numbers.

Profile name:FRIEDLAENDER BURGER & VOLKMANN
Profile number:4000064150

User name:DAMIEN PIETER BURGER
User ID:1

Small Business Services: 0860 116 400
Business Banking: 0860 111 055



PLANNING & ECONOMIC DEVELOPMENT

LAND USE APPLICATION COMPLIANCE CHECKLIST ITO S38 OF THE LAND USE PLANNING BYLAW, 2015				Date of Submission of Application	26-10-2021	
Erf / Erven/ Farm no	402/19; 1378/1; 1594 & 401/1	Portion(s) if farm		Allotment Area	STELLENBOSCH	
Owner / Applicant	Damien Burger		Contact number	0218864004		
Email address	Damien.burger@fbvsurvey.co.za					
INDICATE WHICH OF THE FOLLOWING FORM PART OF THE DOCUMENTATION				ADMIN TO VERIFY ¹		PLANNER TO EVALUATE ²
				YES	NO	
1. Completed application form that is signed				✓		✓
2. Power of Attorney / Owners' Consent if the applicant is an agent and Company Resolution				✓		✓
3. Bondholders' consent						
4. Proof that applicant is authorized to act on behalf of an entity						
5. Proof of ownership or rights held in land						
6. Motivation based on criteria in s65				✓		✓
7. SG diagram or General Plan				✓		✓
8. Locality plan				✓		✓
9. Site development plan or plan showing the land development						
10. Subdivision plan				✓		✓
11. Permission for required servitude						
12. Title Deed				✓		✓
13. Conveyancer's certificate						
14. Feedback on Pre-application scrutiny				✓		✓
15. Minutes of Pre-consultation Meeting						
16. Consolidation plan						
17. Street name and numbering plan						

¹ Verification by Admin only of the documentation attached and completeness of application and not the correctness thereof.

² Technical evaluation by Planner of the documentation attached for completeness and correctness thereof.

Bulelwa Mdoda

From: Damien Burger <damien.burger@fbvsurvey.co.za>
Sent: 25 October 2021 06:07 PM
To: Landuse Enquiries
Subject: [EX] Application for Subdivision & Consolidation : FARM NO.s 402/9 1378/1 1594 AND 401/1
Attachments: COMBINED APPLICATION.pdf

Dear Sir/Madam

**APPLICATION IN TERMS OF SECTION 15(2)(d) and 15(2)(e) – PLANNING BY-LAW :
PORTION 19 FARM NO 402, PORTION 1 OF FARM NO. 1378, FARM NO. 1594 AND PORTION 1
OF FARM NO. 401 -STELLENBOSCH**

Please find attached our full application and accompanying documents for the above application.

Please could you acknowledge confirmation of receipt to damien@fbvsurvey.co.za

Regards
Damien Burger

FRIEDLAENDER, BURGER & VOLKMANN

Find us: <https://goo.gl/maps/JhVno5PrrXw4qmNr5>

Professional Land Surveyors • Sectional Title Consultants • Mapping Consultants

Professionele Landmeters • Deeltitel Konsultante • Kartering Konsultante

House 4 Patrysvlei Estate – Libertas Farm • TEL: 021 8864004, FAX 021 8878088 • PO Box / Posbus 154, Stellenbosch, 7599 • E-mail:

damien@fbvsurvey.co.za

Please note that this message is intended for specific recipients and its content is private and confidential. If you are not the intended recipient please return the message and then delete it.



friedlaender, burger & volkmann

PROFESSIONAL LAND SURVEYORS SECTIONAL TITLE CONSULTANTS MAPPING CONSULTANTS

39 Herte Str, Stellenbosch, 7600

PO Box 154, Stellenbosch, 7599



+27 21 8864004



+27 21 8878088



info@fbvsurvey.co.za



www.fbvsurvey.co.za

Our ref: SA401-1

25/10/2021

The Municipal Manager

Landuse.Enquiries@ Stellenbosch.gov.za

Dear Sir

**APPLICATION IN TERMS OF SECTION 15(2)(d) and 15(2)(e) – PLANNING BY-LAW :
PORTION 19 FARM NO 402, PORTION 1 OF FARM NO. 1378, FARM NO 1594 AND
PORTION 1 OF FARM NO. 401 -STELLENBOSCH**

Please find herewith our application and supporting documents in the above matter.

This application has been submitted electronically, negating the requirement for five copies as per checklist.

We have added a black and white copy of the subdivision plan for endorsement purposes.

Please contact our office if further information is required.

Yours sincerely

D.P. Burger

pp. Friedlaender, Burger and Volkmann



Date _____



STELLENBOSCH

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LAND USE PLANNING APPLICATION FORM 2017

(Section 15 of the Stellenbosch Municipal Land Use Planning By-Law (2015) and other relevant legislation)

KINDLY NOTE: Please complete this form using BLOCK letters and ticking the appropriate boxes.

PART A: APPLICANT DETAILS

First name(s)	Damien				
Surname	Burger				
Company name (if applicable)	Friedlaender, Burger and Volkmann				
Postal Address	P.O. Box 154, Stellenbosch				
		Postal Code	7599		
Email	damien@fbvsurvey.co.za				
Tel	+27 21 8864004	Fax	+27 21 8878088	Cell	+27 83 454 3467

PART B: REGISTERED OWNER(S) DETAILS (If different from applicant)

Registered owner(s)	1. JR Farming Trust 3. Farm No. 1594		2. Agriculture Marketing (Pty) Ltd 4. De Voetboeg Trust		
Physical address	Polkadraai Road				
	Stellenbosch			Postal code	
E-mail	cdk@lor.co.za				
Tel	0832682818	Fax		Cell	0832682818

PART C: PROPERTY DETAILS (in accordance with title deed)

1. Ptn 19 Farm No. 402 2. Ptn 1 Farm No. 1378 3. Farm No. 1594 4. Ptn 1 Farm No. 401			Allotment area	Stellenbosch	
Physical Address	off Polkadraai Road				
	Stellenbosch				
Current Zoning	Agriculture & Rural	Extent	1. 36ha 2. 15ha 3. 39ha 4. 2ha	Are there buildings?	existing ☒ N

Applicable Zoning Scheme	Stellenbosch Municipality									
Current Land Use	Agricultural									
Title Deed number and date	T		1. T16033/2009 - 2. T9443/2011 - 3. T56022/2017 - 4. T36691/2014.							
Attached Conveyance's Certificate	Y	X	Any Restrictions ito the Attached Conveyance's Certificate? If yes, please list condition(s) as per certificate							
Are the restrictive conditions in favour of a third party(ies)?	Y	X	If Yes, list the party(ies):							
Is the property encumbered by a bond?	X		If Yes, list the bondholder(s):							
Is the property owned by Council?	Y	X	If Yes, kindly <u>attach a power of attorney</u> from the Manager Property Management SEE 4.6 OF MOTIVATION REPORT							
Is the building located within the historical core?	Y	X	Is the building older than 60 years?	Y	X	Is the application triggered by the National Heritage Resources Act, 1999 (Act 25 of 1999) ¹	Y	X	If Yes, kindly indicate which section are triggered and attached the relevant permit if applicable.	
Any existing unauthorized buildings and/or land use on the subject property(ies)?			Y	X	If yes, is this application to legalize the building / land use ² ?			Y	N	
Are there any pending court case(s) / order(s) relating to the subject property(ies)?			Y	X	Are there any land claim(s) registered on the subject property(ies)?			Y	X	

PART D: PRE-APPLICATION CONSULTATION

Has there been any pre-application consultation?	Y	X	If Yes, please attach the minutes of the pre-application consultation.
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PART E: LAND USE PLANNING APPLICATIONS AND APPLICATION FEES PAYABLE

APPLICATIONS IN TERMS OF SECTION 15 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW (2015)

Tick	Type of application: <i>Cost are obtainable from the Council Approved tariffs³</i>
	15(2)(a) Rezoning of Land
	15(2)(b) a permanent departure from the development parameters of the zoning scheme
	15(2)(c) a departure granted on a temporary basis to utilise land for a purpose not permitted in terms of the primary rights of the zoning applicable to the land;
X	15(2)(d) a subdivision of land that is not exempted in terms of section 24, including the registration of a servitude or lease agreement;
X	15(2)(e) a consolidation of land that is not exempted in terms of section 24;

¹ All applications triggered by section 38(1)(a)-(e) in terms of the National Heritage Resources Act, 1999 (Act 25 of 1999) may not be processed without a permit issued by the relevant department

² No application may be submitted to legalize unauthorised building work and or land use on the property if a notice have been served in terms of Section 87(2)(a), and until such time a Section 91 Compliance Certificate have been issued in terms of the Stellenbosch Land Use Planning By-law (2015)

³ <http://www.stellenbosch.gov.za/documents/idp-budget/2017-2/4873-appendix-3-tariff-book-2017-2018/file>

DETAILS FOR INVOICE	
Name & Surname/Company name (details of party responsible for payment)	Friedlaender, Burger and Volkmann
Postal Address	P.O. Box 154, Stellenbosch, 7599
Vat Number (where applicable)	4130103692

PART F: DETAILS OF PROPOSAL							
Building line encroachment	Street		From	m	To	m	
	Street		From	m	To	m	
	Side		From	m	To	m	
	Side		From	m	To	m	
	Aggregate side		From	m	To	m	
	Rear		From	m	To	m	
Exceeding permissible site coverage		From	%	To	%		
Exceeding maximum permitted bulk / floor factor / no of habitable rooms		From		To			
Exceeding height restriction		From	m	To	m		
Exceeding maximum storey height		From	m	To	m		
Consent/Conditional Use/Special Development							
To permit..... in terms of Section.....of the.....Zoning Scheme Regulations							
Other (please specify)	<div>Application in terms of sections 15(2)(d) & 15(2)(e)</div>						

Brief description of proposed development / intent of application:
Proposed subdivision of portions of Ptn 19 of Farm No. 402 and Portion 1 of Farm No. 1378 that will then be consolidated with Portion 1 of Farm No. 401
Proposed subdivision of Farm No. 1594 that will be consolidated with the Remainder of Portion 19 of Farm No. 402

15(2)(f)	a removal, suspension or amendment of restrictive conditions in respect of a land unit;
15(2)(g)	a permission required in terms of the zoning scheme;
15(2)(h)	an amendment, deletion or imposition of conditions in respect of an existing approval;
15(2)(i)	an extension of the validity period of an approval
15(2)(j)	an approval of an overlay zone as contemplated in the zoning scheme;
15(2)(k)	an amendment or cancellation of an approved subdivision plan or part thereof, including a general plan or diagram ;
15(2)(l)	a permission required in terms of a condition of approval;
15(2)(m)	a determination of a zoning;
15(2)(n)	a closure of a public place or part thereof;
15(2)(o)	a consent use contemplated in the zoning scheme;
15(2)(p)	an occasional use of land;
15(2)(q)	to disestablish a home owner's association
15(2)(r)	to rectify a failure by a home owner's association to meet its obligations in respect of the control over or maintenance of services;
15(2)(s)	a permission required for the reconstruction of an existing building that constitutes a non-conforming use that is destroyed or damaged to the extent that it is necessary to demolish a substantial part of the building.
15(2)(6)	When the Municipality on its own initiative intends to conduct land development or an activity
15(2)(l)	Amendment of Site Development Plan
15(2)(l)	Compilation / Establishment of a Home Owners Association Constitution / Design Guidelines

OTHER APPLICATIONS

Deviation from Council Policies/By-laws;	R
Other (specify) : _____	R
TOTAL A:	R

PRESCRIBED NOTICE AND FEES (for completion and use by official)**

Tick	Notification of application in media	Type of application	Cost
	SERVING OF NOTICES	Delivering by hand; registered post; data messages	R
	PUBLICATION OF NOTICES	Local Newspaper(s); Provincial Gazette; site notice; Municipality's website	R
	ADDITIONAL PUBLICATION OF NOTICES	Site notice, public meeting, local radio station, Municipality's website, letters of consent or objection	R
	NOTICE OF DECISION	Provincial Gazette	R
	INTEGRATED PROCEDURES	T.B.C	R
TOTAL B:			R
TOTAL APPLICATION FEES* (TOTAL A + B)			R

* Application fees that are paid to the Municipality are non-refundable and proof of payment of the application fees must accompany an application.

** The applicant is liable for the cost of publishing and serving notice of an application. Additional fees may become applicable and the applicant will be informed accordingly.

BANKING DETAILS

Name: Stellenbosch Municipality
 Bank: NEDBANK
 Branch no.: 198765
 Account no.: 1152271679
 SWIFT: NEDSZAJJ
 Payment reference:
 (Erf/Farm number)

PART G: ATTACHMENTS AND SUPPORTING INFORMATION AND DOCUMENTATION FOR LAND USE PLANNING APPLICATION

Complete the following checklist and attach all the information and documentation relevant to the proposal. Failure to submit all information and documentation required will result in the application being deemed incomplete.

Information and documentation required

☒	N		Power of attorney / Owner's consent if applicant is not owner		Y	☒	Bondholder's consent (if applicable)
☒	N		Resolution or other proof that applicant is authorised to act on behalf of a juristic person		Y	☒	Proof of any other relevant right held in the land concerned
☒	N		Written motivation pertaining to the need and desirability of the proposal		☒	N	S.G. diagram / General plan extract (A4 or A3 only)
☒	N		Locality plan (A4 or A3 only) to scale		Y	☒	Site development plan or conceptual layout plan (A4 or A3 only) to scale
☒	N		Proposed subdivision plan (A4 or A3 only) to scale		Y	☒	Proof of agreement or permission for required servitude
Y	☒		Proof of payment of application fees		☒	N	Proof of registered ownership (Full copy of the title deed)
	☒		Conveyancer's certificate See Motivation		Y	N	Minutes of pre-application consultation meeting (if applicable)
☒	N	N/A	Consolidation plan (A4 or A3 only) to scale		Y	N	☒ Land use plan / Zoning plan (A4 or A3 only) to scale
Y	N	☒	Street name and numbering plan (A4 or A3 only) to scale		Y	N	☒ 1 : 50 / 1:100 Flood line determination (plan / report) (A4 or A3 only) to scale
Y	N	☒	Landscaping / Tree plan (A4 or A3 only) to scale		Y	N	☒ Home Owners' Association consent
Y	N	☒	Abutting owner's consent		Y	N	☒ Services Report or indication of all municipal services / registered servitudes
Y	N	☒	Copy of Environmental Impact Assessment (EIA) / Heritage Impact Assessment (HIA) / Traffic Impact Assessment (TIA) / Traffic Impact Statement (TIS) / Major Hazard Impact Assessment (MHIA) / Environmental Authorisation (EA) / Record of Decision (ROD)		Y	N	☒ Proof of failure of Home owner's association
Y	N	☒	Copy of original approval and conditions of approval		Y	N	☒ Any additional documents or information required as listed in the pre-application consultation form / minutes
Y	N	☒	Proof of lawful use right		Y	N	☒ Other (specify)
☒	N	N/A	Required number of documentation copies		Y	N	☒

PART H: AUTHORISATION(S) SUBJECT TO OR BEING CONSIDERED IN TERMS OF OTHER LEGISLATION

Y	☒	If required, has application for EIA / HIA / TIA / TIS / MHIA approval been made? If yes, attach documents / plans / proof of submission etc.	Specific Environmental Management Act(s) (SEMA) (e.g. Environmental Conservation Act, 1989 (Act 73 of 1989))		
			Y	☒	National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004)
☒	N/A	Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)	Y	☒	National Environmental Management: Waste Act, 2008 (Act 59 of 2008)
Y	☒	Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)(SPLUMA)	Y	☒	National Water Act, 1998 (Act 36 of 1998)
Y	☒	Occupational Health and Safety Act, 1993 (Act 85 of 1993): Major Hazard Installations Regulations	Y	☒	Other (specify)
Y	☒	Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)			
Y	☒	Do you want to follow an integrated application procedure in terms of section 44(1) of the Stellenbosch Municipality Land Use Planning By-Law? If yes, please attach motivation.			

SECTION I: DECLARATION

I hereby wish to confirm the following :

1. That the information contained in this application form and accompanying documentation is complete and correct.
2. I'm aware that it is an offense in terms of section 86(1)(e) to supply particulars, information or answers knowing the particulars, information or answers to be false, incorrect or misleading or not believing them to be correct.
3. I am properly authorized to make this application on behalf of the owner and that a copy of the relevant power of attorney or consent is attached hereto.
4. Where an agent is appointed to submit this application on the owner's behalf, it is accepted that correspondence from and notifications by the Municipality in terms of the by-law will be sent only to the agent and that the owner will regularly consult with the agent in this regard.
5. I confirm that the relevant title deed(s) have been read and that there are no restrictive title deed restrictions, which impact on this application, or alternatively an application for removal/suspension or amendment forms part of this submission.
6. I confirm that I have made known all information relating to possible Land / Restitution Claims against the application property.
7. It is the owner's responsibility to ensure that approval is not sought for a building or land use which will be in conflict with any applicable law.
8. The Municipality assesses an application on the information submitted and declarations made by the owner or on his behalf on the basis that it accepts the information so submitted and declarations so made to be correct, true and accurate.
9. Approval granted by the Municipality on information or declarations that are incorrect, false or misleading may be liable to be declared invalid and set aside which may render any building or development pursuant thereto illegal.
10. The Municipality will not be liable to the owner for any economic loss suffered in consequence of approval granted on incorrect, false or misleading information or declarations being set aside.
11. Information and declarations include any information submitted or declarations made on behalf of the owner by a Competent Person/professional person including such information submitted or

declarations made as to his or her qualification as a Competent person and/or registration as a professional.

12. A person who provides any information or certificate required in terms of Regulation A19 of the National Building Regulations and Building Standards Act No 103 of 1977 which he or she knows to be incomplete or false shall be guilty of an offence and shall be prosecuted accordingly.
13. A person who supplies particulars, information or answers in a land use application in terms of the Stellenbosch Municipality Land Use Planning By-law knowing it to be incorrect, false or misleading or not believing them to be correct shall be guilty of an offence and shall be prosecuted accordingly.
14. The Municipality will refer a complaint to the professional council or similar body with whom a Competent Person/professional person is registered in the event that it has reason to believe that information submitted or declaration/s made by such Competent Person/professional person is incorrect, false or misleading.

Applicant's signature: _____

JP Burger

Date: _____

25/10/2021

Full name: _____

Damien Pieter Burger

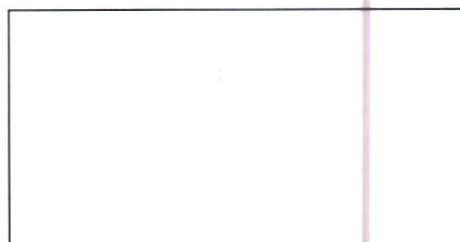
Professional capacity: _____

Pr. Land Surveyor

FOR OFFICE USE ONLY

Date received: _____

Received By: _____



Proposed Subdivisions

**Portion 19 Farm No. 402
Portion 1 of Farm No. 1378
and
Farm No. 1594**

and Consolidation with

**Portion 1 of Farm No.401
and
Remainder Portion 19 of Farm No. 402**

Western Cape Province

Prepared by

Friedlander, Burger and Volkmann
39 Herte Street, Stellenbosch, 7600 | P.O. Box 154, Stellenbosch, 7599
Tel +27 21 8864004 Fax +27 21 8878088 Email info@fbvsurvey.co.za

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	There is no fragmentation of agricultural land as no additional property is created with the implementation of the consolidation condition contained in the Act 70/1970 approval	5
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1 Proposal

Acting on behalf of the owners of Portion 1 of Farm No. 401, Portion 19 of farm No. 402 , Portion 1 of Farm No. 1378 and Farm No. 1594 ; Stellenbosch ("the properties") we propose to adjust the boundary of Portion 19 of Farm No. 402 and consolidation two portions of land with Portion 1 of Farm No. 401. A locality plan is provided as **Annexure 1** and a plan of proposed subdivision as **Annexure 2**.

In terms of Section 15(2)(d) and 15(2)(e) of the Stellenbosch Municipality Planning Land Use Planning By-Law, application is therefore made for the

- i. Subdivision of Portion A, in extent $\pm 1,28$ Ha of Portion 1 of Farm No. 1378 Stellenbosch leaving a remainder of $\pm 13,83$,
- ii. Subdivision of Portion B, in extent $\pm 2,22$ Ha of Portion 19 of Farm No. 402 Stellenbosch leaving a remainder of $\pm 34,52$
- iii. Subdivision of Portion C, in extent $\pm 5,86$ Ha of Farm No. 1594 Stellenbosch leaving a remainder of $\pm 32,96$, and
- iv. Consolidation of Portion A and B with Portion 1 of Farm No. 401
- v. Consolidation of Portion C with Remainder of Portion 19 of Farm No. 402

2 Pre Application Scrutiny Feedback

The pre-application scrutiny feedback is attached as **Annexure 19**

3 Authority to apply

The properties are owned by:

Portion 1 of Farm No. 1378 – Agriculture Marketing (Pty) Ltd

Portion 19 of Farm No. 402 - JR Farming Trust

Farm No. 1594 - Reynecke Wines Properties (Pty) Ltd

Portion 1 of Farm No. 401 - De Voetberg Trust

The title deeds are attached as **Annexures 3, 4, 5 and 6**

The powers of attorney authorising the applicants are attached as **Annexure 7, 8, 9 and 10** and a resolution authorising the signatory of the powers of attorney are attached as **Annexure 11, 12, 13 and 14**

4 The Farms

4.1 Description

The properties are situated along the old Polkadraai Road in an area comprising of smallholdings and larger wines farms.

Portion 1 of Farm No. 1378 Stellenbosch – measuring 15,1567 ha

Portion 19 of Farm No. 402 Stellenbosch – measuring 36,7543 ha

Farm No. 1594 Stellenbosch – measuring 38,8266 ha

Portion 1 of Farm No. 401– measuring 2,1590 ha

The diagrams are attached as **Annexures 15, 16, 17 and 18**

4.2 Current use and zoning

The properties are all zoned Agriculture and Rural

Farm 1594 - an existing wine farm comprising of 30ha of existing vineyard with an additional 7ha of potential vineyard (re planting)

Portion 19 of Farm No. 402 - an existing wine farm specialising in biodynamic winemaking that links the vineyards with vegetable gardens and animal husbandry

Portion 1 Farm No. 1378 – a small holding with 3ha vineyard, 7 ha of paddock and equestrian activities

Portion 1 Farm No. 401 – a smallholding with no real agricultural activities.

In summary, two wine farms, an equestrian estate and a smallholding.

4.3 Access

All the farms gain access from the Polkadraai Main Road and there will be no change to any of the existing access points

4.4 Services

There are no municipal services connected to the property.

4.5 Water Rights

All the properties are members of the Wynland Water Users Association.

There is no envisaged major change to any of the existing water rights and after the adjustment of boundaries all the properties will continue to utilise their existing rights.

PORTION 1 OF FARM NO. 401	2 ha A
PORTION 1 OF FARM NO. 1378	7 ha A
PORTION 19 OF FARM NO. 402	14 ha A
FARM NO. 1594	14ha A (to be confirmed)

4.6 Restrictive Title Conditions

All the properties are parts of farms that have previously been subdivided confirming that there are no restrictive condition related to subdivision. A conveyancer Certificate has not been included but can be provided if requested.

5 Reason for the proposal

The smallholding on Portion 1 Farm No 401 is looking to increase the agricultural activities on the property and would like to acquire as much land around the property to preserve the existing vineyards without influencing the agricultural potential of the surrounding properties.

This has triggered a series of proposed land transactions that ultimately lead to a better utilisation of all the land from an agricultural perspective.

6 Motivation

6.1 Subdivision – Consent in terms of Act 70/1970

The competent authority dealing with the subdivision of Agricultural Land in terms of Act 70 of 1970 has issued the consent, attached as **Annexure 20**

In issuing the consent for subdivision the Department is satisfied that application has met the conditions required for the subdivision of agricultural land

Conditions pertaining to this consent stipulate that all the subdivisions must be consolidated with the adjoining properties.

6.2 Subdivision & consolidation

Portion 1 of Farm No. 1378 is an equestrian estate with 3ha of vineyards. They would like to continue to concentrate on equestrian activities and are prepared to release the 1.28ha of existing vineyards and expand the equestrian activities into the remainder of the vineyard block. This will have no significant negative impact to local agriculture as the farm is well below the DAFF guidelines for an economic unit.

Portion 19 of Farm No. 402 is well known for its biodynamic winemaking. They would like to include one of the existing vineyard blocks from Farm No. 1594 to complement the existing vineyards in line with the future planning for the estate. In order to finance the transaction and without negatively impacting on their vineyards and the existing production, they are prepared to release 2.22 ha of existing vineyards.

No additional land unit is created and the application is a general adjustment of boundaries that has no or little impact on the properties that are giving off land.

Farm No. 1594 releases 5,86ha of land of which only 3 hectares is currently planted. The loss of this vineyard block will not influence the rest of the farm as the Remaining extent is still 33 ha mainly of existing vineyards

Portion 19 releases 2.22 ha, but gains 5.86ha of land, better suited to the future development of the farm and complimentary to the existing vineyards.

Portion 1 of Farm 1378 releases 1.28ha that does not affect the requirements as an equestrian estate.

Portion 1 of Farm No. 401 increases in size with 3.5ha of vineyard. It also puts the property in a better position to negotiate with farm No. 1269 should it become available, to form a more productive smallholding.

6.3 Principles of IDP & Municipal SDF

There is no fragmentation of agricultural land as no additional property is created with the implementation of the consolidation condition contained in the Act 70/1970 approval

The application is in line with the principles of both the IDP and SDF.

There is no negative impact on the natural environment, cultural heritage or transport as a result of the subdivision and consolidation.

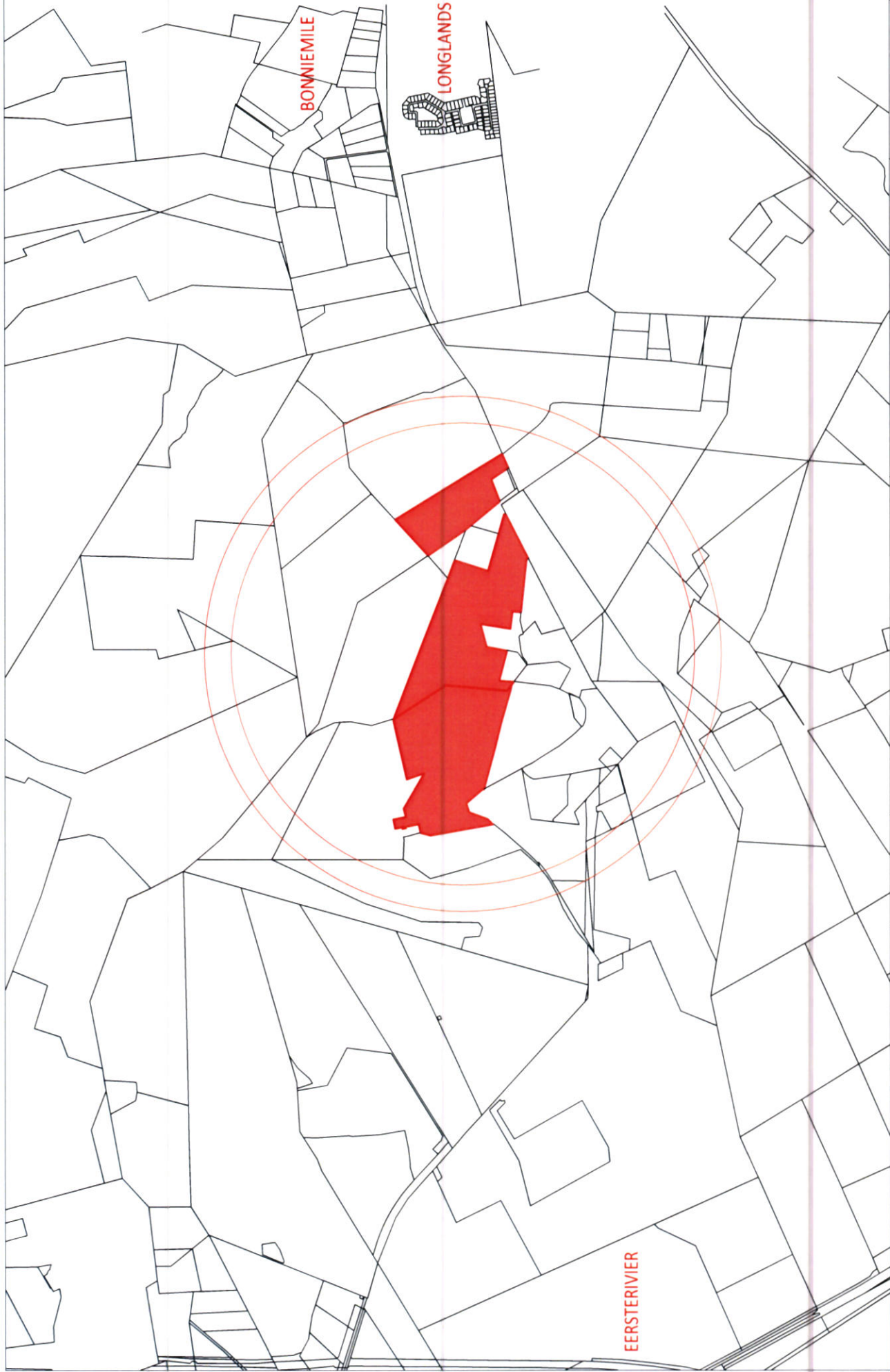
There is no new development or change in land use or zoning as a result of the subdivision and consolidation.

6.4 Summary

No reason for refusal of the application is apparent.

7 List of Annexures

Annexure 1	Locality Plan
Annexure 2	Subdivision Plan
Annexure 3	Title Deed of Farm No. 1378/1
Annexure 4	Title Deed of Farm No. 402/19
Annexure 5	Title Deed of Farm No. 1594
Annexure 6	Title Deed of Farm No. 401/1
Annexure 7	POA Agriculture Marketing (Pty) Ltd
Annexure 8	POA JR Farming Trust
Annexure 9	POA Reynecke Wines Properties (Pty) Ltd
Annexure 10	POA De Voetberg Trust
Annexure 11	Authorisation Agriculture Marketing (Pty) Ltd
annexure 12	Authorisation JR Farming Trust
Annexure 13	Authorisation Reynecke Wines Properties (Pty) Ltd
Annexure 14	Authorisation De Voetberg Trust
Annexure 15	Diagram Portion 1 of Farm No. 1378
Annexure 16	Diagram Portion 19 of Farm No. 402
Annexure 17	Diagram Farm No. 1594
Annexure 18	Diagram Portion 1 of Farm No. 401
Annexure 19	Pre Consultation Feedback
Annexure 20	Act 70/1970 Approval



Notes:

— - - - - Cadastral Boundary

Caveat

1. Any areas and dimensions are provisional and will be finalised at time of subdivision survey.
2. All levels are to be confirmed prior to construction.

Scale 1: 20000 @ A3

Date: 26/09/2019

Contours: N/A

System: WG 19



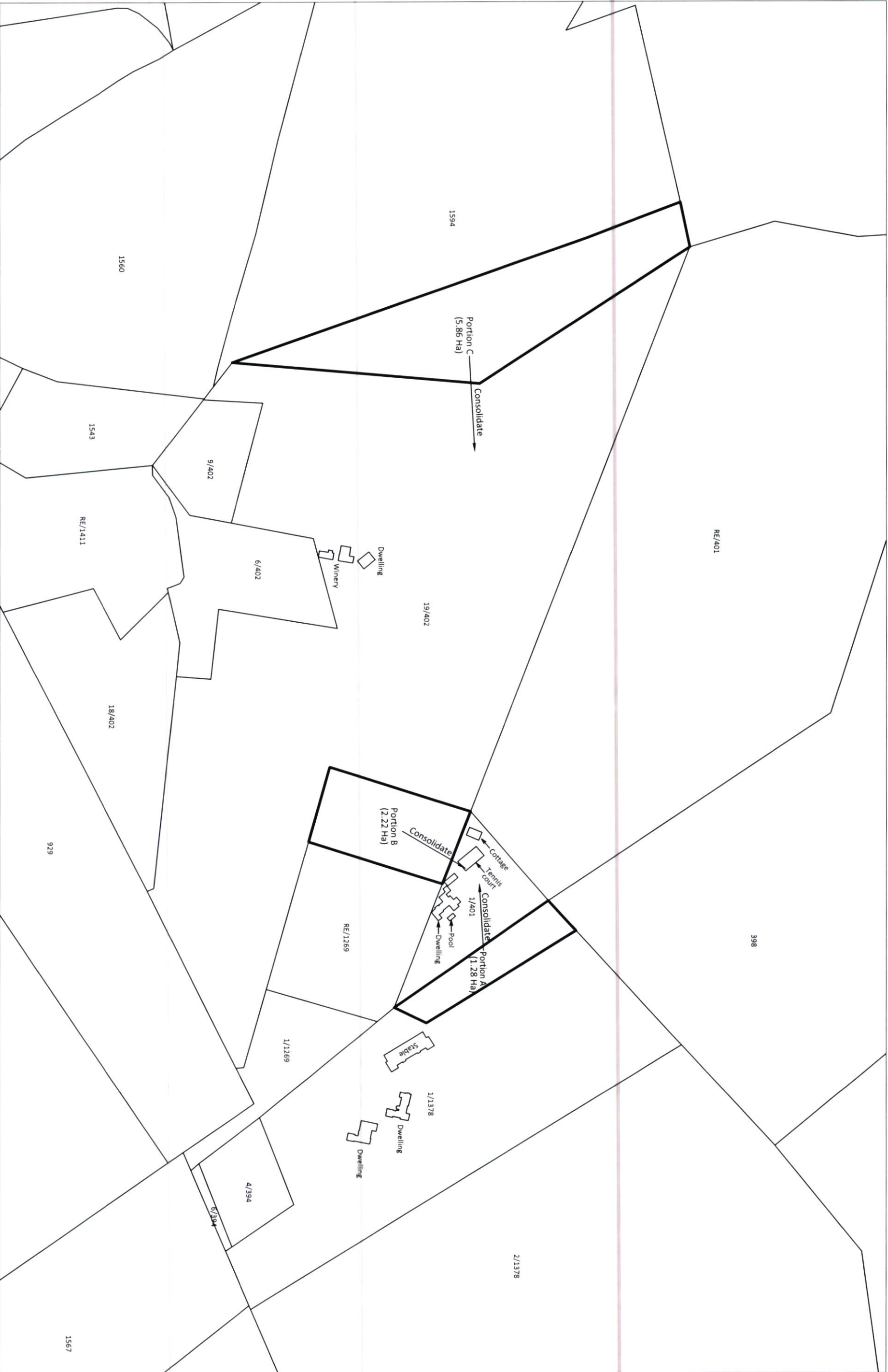
LOCALITY PLAN

friedlaender, burger & volkmann



Ref: SA401-1[B]

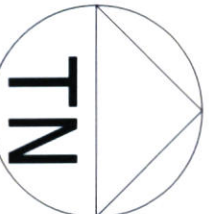
Dwg: LOCALITY



Notes:

1. Portion A subdivided off Portion 1 of Farm No. 1378, Stellenbosch.
2. Portion B subdivided off Portion 19 of Farm No. 402, Stellenbosch.
3. Portion C subdivided off Portion Farm No. 1594, Stellenbosch.
4. Portions A & B consolidated with Portion 1 of Farm No. 401, Stellenbosch.
5. Portion C to consolidated with Portion 19 of Farm No. 402, Stellenbosch.

—— - Proposed Subdivision Line —— - Cadastral Boundary



Caveat

1. Any areas and dimensions are provisional and will be finalised at time of subdivision survey.
2. All levels are to be confirmed prior to construction.

Scale 1: 5000 @ A3 Date: May 2019

Contours: N/A System: WG 19

Proposed Subdivisions & Consolidations

Portions & Farms 401/1, 402/19, 1378/1 & 1594
Stellenbosch

Ref: SA401-1[B]

Dwg: Sub and Consol-REV2_MONO

friedlaender, burger & volkmann
f b v
PROFESSIONAL LAND SURVEYORS, GEOMETRIC ENGINEERS, AND ARCHITECTS
147-151 MAIN ROAD, 7520 GEORGETOWN, WESTERN CAPE
021 462 1111
www.friedlaenderburger.com

ANNEXURE 3

318

Jan de Munck Ingelyf
Tel: 887-0022 STELLENBOSCH



Opgestel deur my

TRANSPORTBESORGER
DE MUNCK J

VIR ENDOSSEMENTE KYK BLADSY
FOR ENDORSEMENTS SEE PAGE

8

T 009443/11

TRANSPORTAKTE

HIERBY WORD BEKEND GEMAAK DAT

ANNECKE LOUW

voor my verskyn het, REGISTRATEUR VAN AKTES te Kaapstad, hy die genoemde
komparant synde behoorlik daartoe gemagtig deur 'n Volmag aan haar verleen deur

BIOTRACE FRUIT EXPORTERS (PROPRIETARY) LIMITED
Registrasienommer 2001/000575/07

geteken te Stellenbosch op 18 Januarie 2011



GhostConvey 12.10.6.4

En genoemde Komparant het verklaar dat haar prinsipaal, op 17 Desember 2010, waarlik en wettiglik verkoop het by Privaat ooreenkoms, en dat sy, in haar voorgenoemde hoedanigheid hierby sedeer en transporteer aan en ten gunste van

AGRI MARKETING EXCHANGE (PROPRIETARY) LIMITED

Registrasienommer 1994/007590/07

die se Opvolgers in titel of Regverkrygendes in volkome en vrye eiendom,

GEDEELTE 1 VAN DIE PLAAS NR 1378 GELEE IN DIE MUNISIPALITEIT
EN AFDELING VAN STELLENBOSCH, PROVINSIE WES-KAAP

GROOT 15,1567 (VYFTIEN KOMMA EEN VYF SES SEWE) Hektaar

AANVANKLIK OORGEDRA kragtens Transportakte Nr. T75140/1997 met kaart SG
Nr 3373/1997 wat betrekking daarop het en GEHOU kragtens Transportakte Nr.
T19560/2006.

I VIR sover dit die figuur A B q H op Kaart SG No 3373/1997 aangaan:
ONDERHEWIG aan sodanige voorwaardes soos na verwys in transportakte
Nr T5943 gedateer 11 Augustus 1911.

II VIR sover dit die figuur H k q n m F G op kaart SG No 3373/1997 aangaan:
A. ONDERHEWIG wat betref die figuur H q n m F G op Kaart Nr SG
3373/1997

1. aan sodanige voorwaardes soos na verwys in Sertifikaat van Gewysigde Titel by vereniging Nr. 3827 gedateer 22 Maart 1955.
2. aan die voorwaardes bevat in Grondbrief uitgereik op 12 April 1937 kragtens die bepalings van die Land Bemakings Wet 1912 en geregistreer op 26 April 1937 (Nr69/1937) wat as volg lees:

- (i) die voorbehoud ten gunste van die Kroon van alle regte op goud, silwer en edelgesteentes op of onder die grond hierby toegeken, onderhewig egter aan die voorsiening van "de Wet op die Ontginning van Voorbehouden Mineralen Nr 55/1926 en van "die Wet op Edelgesteentes" Nr 44/1927.
- (ii) die regte van die Goewerneur-Generaal soos in Artikel vier en dertig van die Kroongrond Nederzettingwet, 1912, bepaal watter genoemde Artikel in die Skedule tot hierdie Kroongrondbrief ten volle opgeneem is:
- (iii) die betaling deur die eienaar van enige grondbelasting wat wettig betaalbaar mag wees;
- (iv) die voorwaarde dat alle paaie, deurgange en uitspanningsregte wat alreeds op die hiermee toegekende grond bestaan, vry en onbelemmer moet bly tensy hulle op bevoegde gesag opgehef, sluit of verander word:

3. aan die volgende spesiale voorwaardes bevat in Transportakte nr. T3826 gedateer 22 Maart 1955 opgelê deur die Beherende Owerheid kragtens die bepalinge van Wet nr. 21 van 1940, soos gewysig, naamlik:

- (i) "The land may not be subdivided without the written approval of the controlling authority as defined in Act No. 21 of 1940;
- (ii) The land shall be used for residential and agricultural purposes only and no store or other place of business or industry whatsoever may be opened or conducted on the land without the written approval of the controlling authority as defined in Act No. 21 of 1940;
- (iii) No building or structure whatsoever shall be erected on the land without the written consent of the controlling authority as defined in Act No. 21 of 1940;
- (iv) No building or structure whatsoever shall be erected within a distance of 94,46 metres from the centre line of Main Road no 8 which passes the southern boundary of the property in question without the written approval of the controlling authority as defined in Act no 21 of 1940."

B. ONDERHEWIG VERDER wat betref die figuur F n J C D E K op Kaart Nr. SG 3373/1997.

1. Aan sodanige voorwaardes soos na verwys word in gemelde Sertifikaat van gewysigde Titel by Vereniging Nr. 3827 gedateer 22 Maart 1955;
2. aan die voorwaardes bevat in Grondbrief uitgereik op 12 April 1937 en geregistreer op 26 April 1937 (Nr.69/1937) wat lees soos in paragraaf II A 2 hierbo
3. aan die spesiale voorwaardes bevat in Transportakte nr. T3826 gedateer 25 Maart 1955 opgelê deur die Beherende Owerheid kragtens die bepalinge van Wet nr. 21 van 1940, soos gewysig, soos meer volledig uiteengesit in paragraaf II A 3 hierbo

C. ONDERHEWIG VERDER aan die bepalinge van 'n endossement gedateer 18 Augustus 1972 aangebring op gemelde Sertifikaat van Gewysigde Titel by vereniging gedateer 22 Maart 1955 (Nr. T3827) wat as volg lees

"Endossement kragtens Artikel 31(6) van Wet Nr 47 van 1937 (soos gewysig)

'n Gedeelte van die eiendom hierin vermeld groot plus minus 0.0527 hektaar is onteien deur die Afdelingsraad van Stellenbosch kragtens Artikel 130 Ordonnansie Nr 15 van 1952. Vide Onteieningskennisgewing-Nr H/2/11 gedateer 21 Julie 1972 geliasseer as onteieningscaveat Nr 713/72 planne in tweevoud geliasseer daarmee"

III. VIR sover dit die figuur F n J C D E K op Kaart SG No. 3373/1997 aangaan:

A. ONDERHEWIG wat betref die figuur H k q n m F G op Kaart SG No. 3373/1997.

1. aan sodanige voorwaardes soos na verwys in Sertifikaat van Gewysigde Titel by vereniging Nr. T3827 gedateer 22 Maart 1955.
2. aan die voorwaardes bevat in Grondbrief uitgereik op 12 April 1937 kragtens die bepalinge van die Land Bemakings Wet 1912 en geregistreer op 26 April 1937 (Nr.69/1937) wat as volg lees:
 - (i) die voorbehoud ten gunste van die Kroon van alle regte op goud, silwer en edelgesteentes op of onder die grond hierby toegeken, onderhewig egter aan die voorsiening van "de Wet op die Ontginning van Voorbehouden Mineralen Nr. 55/1926 en van "die Wet op REdelgesteentes" Nr. 44/1927
 - (ii) die regte van die Goewerneur-Generaal soos in Artikel vier en dertig van die Kroongrond Nederzettingwet, 1912, bepaal watter genoemde Artikel in die Skedule tot hierdie Kroongrondbrief ten volle opgeneem is;

- (iii) die betaling deur die eienaar van enige grondbelasting wat wettig betaalbaar mag wees;
 - (iv) die voorwaarde dat alle paaie, deurgange en uitspanningsregte wat alreeds op die hiermee toegekende grond bestaan, vry en onbelemmer moet bly tensy hulle op bevoegde gesag opgehef, sluit of verander word;
3. aan die volgende spesiale voorwaardes bevat in Transportakte nr. T3826 gedateer 22 Maart 1955 opgelê deur die Beherende Owerheid kragtens die bepalings van Wet nr. 21 van 1940, soos gewysig, naamlik:
- (i) "The land may not be subdivided without the written approval of the controlling authority as defined in Act No. 21 of 1940;
 - (ii) The land shall be used for residential and agriltural purposes only and no store or other place of business or industry whatsoever may be opened or conducted on the land without the written approval of the controlling authority as defined in Act No 21 of 1940;
 - (iv) No building or structure whatsoever shall be erected within a distance of 94,46 metres from the centre line of Main Road no 8 which passes the southern boundary of the property in question without the written approval of the controlling authority as defined in Act no 21 of 1940."

B. ONDERHEWIG VERDER wat betref die figuur H k q n m F G op Kaart SG Nr.3373/1997

- 1. Aan sodanige voorwaardes soos na verwys word in gemelde Sertifikaat van Gewysigde Titel by Vereniging Nr T3827 gedateer 22 Maart 1955;
- 2. aan die voorwaardes bevat in Grondbrief uitgereik op 12 April 1937 en geregistreer op 26 April 1937 (Nr. 69/1937) wat lees soos in paragraaf 11 A 2 hierbo
- 3. aan die spesiale voorwaardes bevat in Transportakte Nr. T3826 gedateer 25 Maart 1955 opgelê deur die Beherende Owerheid kragtens die bepalings van Wet Nr. 21 van 1940, soos gewysig, soos meer volledig uiteengesit in paragraaf 11 A 3 hierbo

C. ONDERHEWIG VERDER aan die bepalings van 'n endossement gedateer 18 Augustus 1972 aangebring op gemelde Sertifikaat van Gewysigde Titel by Vereniging gredateer 22 Maart 1955 (nr T3827) wat as volg lees:

"Endossement kragtens Artikel 31(6) van Wet nr 47 van 1937 (soos gewysig)

'n Gedeelte van die eiendom hierin vermeld groot plus minus 0,0527 hektaar is onteien deur die Afdelingsraad van Stellenbosch kragtens Artikel 130 Ordonnansie nr 15 van 1952. Vide Onteieningskennisgewing Nr H/2/11 gedateer 21 Julie 1972 geliasseer as onteieningscaveat Nr 713/72 planne in tweevoud geliasseer daarmee."

IV. **ONDERHEWIG** aan die bepalings van 'n endossement gedateer 3 Januarie 2007 op Transportakte T19560/2006 naamlik:

By virtue of Notarial Deed of Servitude No K3/2007 dated 22 November 2006 the withinmentioned property is subject to a servitude in perpetuity for a water pipeline 3,00 (THREE COMMA ZERO ZERO) metres wide, the North-eastern boundary of which is represented by the solid line **AB**; and the South-eastern boundary of which is represented by the solid line **BC** on Servitude Diagram **SG No.554/2006** as will appear more fully from the aforesaid Notarial Deed which is in favour of

The Remainder of Farm De Morgenzon No. 1157 in the Municipality and Division of Stellenbosch, Province of the Western Cape.

IN EXTENT 90,0331 (ninety comma zero three three one) Hectares

HELD by Deed of Transfer No. T86374/2003

WESHALWE die komparant afstand doen van al die regte en titel wat

BIOTRACE FRUIT EXPORTERS (PROPRIETARY) LIMITED
Registrasienommer 2001/000575/07

voorheen op genoemde eiendom gehad het, en gevolglik ook erken het dat dit geheel en al van die besit daarvan onthef en nie meer daartoe geregtig is nie en dat, kragtens hierdie akte, bogenoemde

AGRI MARKETING EXCHANGE (PROPRIETARY) LIMITED
Registrasienommer 1994/007590/07

diese Opvolgers in titel of Regverkrygendes, tans en voortaan daartoe geregtig is, ooreenkomstig plaaslike gebruik, behoudens die regte van die Staat en ten slotte erken dit dat die verkoopprijs die bedrag van R9 100 000,00 (Nege Miljoen Een Honderd Duisend Rand) beloop.

TEN BEWYSE WAARVAN ek, genoemde Registrateur, tesame met die Komparant hierdie Akte onderteken en dit met die ampseël bekragtig het.

ALDUS GEDOEN EN VERLY op die Kantoor van die REGISTRATEUR VAN AKTES te Kaapstad op 28 Februarie 2011



q.q.

In my teenwoordigheid



REGISTRATEUR VAN AKTES

VA000009575 / 2014

Certified a true copy of the duplicate original filed of record in this Registry, issued to serve in place of the original thereof under the provisions of Deeds Regulation No. 68(1)

Deeds Registry
Cape Town

12 DEC 2014

~~18 DEC 2014~~

Asst. Registrar of Deeds

Pg 8

T 9443 / 2011

VERBIND		MORTGAGED	
VIR FOR R 600 000,00			
B	000002527 / 2015		
2015-02-05		REGISTRATEUR/REGISTRAR	

VERBIND		MORTGAGED	
VIR FOR R 15 000 000,00			
3	000014256 / 2015		
2015-02-05		REGISTRATEUR/REGISTRAR	

ANNEXURE 4

67

FEE

R...110,00.....

VERBIND

MORTGAGED

VIR
FOR R 3700 000,00

B

010024/09

⑧ 15 APR 2009

REGISTRATEUR/REGISTRAR

T

016033/09

Prepared by me

ABRAHAMS & GROSS

Attorneys Notaries & Conveyancers

1st Floor

56 ShortMarket Street

CAPE TOWN

CONVEYANCER
RAWRAWAY, P. A.

CERTIFICATE OF CONSOLIDATED TITLE

Issued under the Provisions of Section 40
of the Deeds Registries Act, 1937
(Act No. 47 of 1937)

WHEREAS :

**THE TRUSTEES FOR THE TIME BEING OF THE J R FARMING TRUST
(NUMBER IT2734/1995)**

have applied for the issue to itself of a Certificate of Consolidated Title under the provisions of Section 40 of the Deeds Registries Act 1937.

DATA / VERIFY
6 - April 2009
GONCALVES B

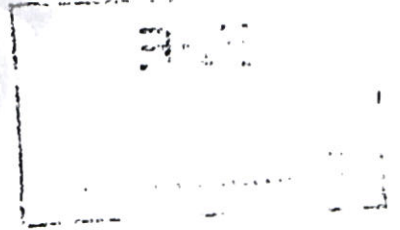
11 CAPTIVE
2009 - 04 - 26
ZWELONKE NTOMBI

VERDERE ENDOSSEREMENTE SIEB
DO. FURTHER ENDOSSMENTS SEE

P6

6

VERBIND		MORTGAGED	
VIR FOR R <u>500 000.00</u>			
B 000003861 / 2013		 REGISTRATEUR/REGISTRAR	
2013-02-14			



AND WHEREAS it is the registered owner of :-

1. PORTION 15 OF THE FARM PROVENANCE 402
IN THE MUNICIPALITY AND DIVISION OF STELLENBOSCH
PROVINCE OF THE WESTERN CAPE

HELD by Deed of Transfer No. T (2) 016032/08

2. PORTION 12 OF THE FARM PROVENANCE 402
IN THE MUNICIPALITY AND DIVISION OF STELLENBOSCH
PROVINCE OF THE WESTERN CAPE

HELD by Certificate of Consolidated Title No. T89014/1995

which have been consolidated into the land hereinafter described.

NOW THEREFORE in pursuance of the provisions of the said Act, I, the Registrar
of Deeds of Cape Town, do hereby certify that the said

THE TRUSTEES FOR THE TIME BEING OF THE J R FARMING TRUST
(NUMBER IT2734/1995)

or its Assigns, is the registered owner of :-

PORTION 19 OF THE FARM PROVENANCE 402
IN THE MUNICIPALITY AND DIVISION OF STELLENBOSCH
PROVINCE OF THE WESTERN CAPE

MEASURING 36,7543 (THIRTY SIX COMMA SEVEN FIVE FOUR THREE)
HECTARES

AS WILL APPEAR from Consolidated Diagram L.G. No. 6751/2008 ANNEXED
HERETO



1. AS REGARDS the figure ATNPQRS on said Diagram L.G. No. 6751/2008

- A. **SUBJECT** to the conditions referred to in Deed of Transfer No. T6616/1914.
- B. **SUBJECT FURTHER** to the conditions referred to in Notarial Deed of Servitude dated the 29th October 1937 annexed to the said Deed of Transfer No. T6616/1914 and referred to in portion (b) of the endorsement thereon dated the 10th December 1937, which reads as follows:-

"REGISTRATION OF SERVITUDE

By Notarial Deed dated 29th October 1937..... (b) a servitude relating to the exclusive use of water from the fountains, the reservoir and pipeline and access thereto is created in favour of the owner, his successors in title of the farm Veelverjaagd held under Deed of Transfer No. T6617/1914. Subject to conditions as will more full appear on reference to the copy annexed hereto."

- C. By Deed of Transfer No. T3501/1967, the Remainder of the Farm Province No. 402, measuring 90,2949 (NINETY comma TWO NINE FOUR NINE) hectares, is entitled by Notarial Deed No. K1118/84S dated 26 October 1984 to certain rights of water supply over:

PORTION 7 OF THE FARM VEELVERJAAGT NO 400
IN EXTENT: 8,9895 (EIGHT comma NINE EIGHT NINE FIVE)
Hectares

HELD BY Deed of Transfer No. T3170/1968

As will more fully appear on said notarial deed.

D. **SUBJECT FURTHER** to the following conditions contained in Deed of Transfer No. T (2) 16082/09 imposed by the Deputy Director-General, Department of Transport and Public Works, as controlling authority in terms of Act 21 of 1940 and Ordinance 19 of 1976, when approving the subdivision of the Farm Provence 402 : _

1. geen nuwe toegang tot die Provinsiale Ondergeskikte pad La Provence (OP 5208) toegestaan sal word nie en slegs die bestaande toegangsposisie tot Hoofpad Polkadraai (HP 177) by log km 23,03 gebruik sal word.
2. geen advertensies of enige ander tekens wat sigbaar is van die gerpolameerde pad op te rig nie, sonder die nodige skriftelike uitklaring deur die Distrik-Padingenieur: Paarl te bekom voor oprigting.

2. **AS REGARDS** the figure TBCu on Diagram LG No. 6751/2008;

- A. **SUBJECT** to the conditions as are referred to in Deed of Transfer No. T6616/1914;
- B. **SUBJECT FURTHER** to the condition contained in the Notarial Deed of Servitude dated 29 October 1937 attached to Deed of Transfer No. T6616/1914 and referred to in portion (b) of the endorsement thereon dated 10 December 1937, namely –

"Registration of servitude

By Notarial Deed dated 29th October 1937 ... (b) a servitude relating to the exclusive use of water from the fountains, the reservoir and pipeline and access thereto is created in favour

of the owner, his successors in title of the farm Veelvergaagd held under Deed of Transfer No. 6617/1914. Subject to conditions as will more fully appear on reference to the copy annexed hereto."

C. By Notarial Deed of Servitude dated 26 October 1984 No.K1118/84S the Remainder of the Farm Provence No. 402, portion 10 as transferred herewith is entitled to certain rights of water supply over Portion 7 of the farm Veelverjaagt No. 400, in extent 8,9895 hectares. As will appear more fully from said Notarial Deed.

3. AS REGARDS the figure uCwFGzyxJKLM on Diagram LG No. 6751/2008;

D. SUBJECT to the conditions referred to in Deed of Transfer No. T12953/1947.

4. AS REGARDS the figure Hxyz on Diagram LG No. 6751/2008;

A. SUBJECT to the conditions referred to in Deed of Transfer No. T2276/1953.

5. AS REGARDS the figure vDEw on Diagram LG No. 6751/2008;

E. SUBJECT to the conditions referred to in said Deed of Transfer No. T12953/1947.

AND THAT by virtue of these presents, the said

**THE TRUSTEES FOR THE TIME BEING OF THE J R FARMING TRUST
NUMBER IT2734/1995**

or its 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 Deeds at CAPE TOWN on this *15th* day of *APRIL* in the year of our Lord Two Thousand and Nine (2009)


REGISTRAR OF DEEDS

FOR PARTNER ENDORSEMENTS GO
VIA VERSTREKKEDE WET...

CLOVER MARKOTTER

117

Prepared by me

[Signature]

CONVEYANCER
LIZE PECORARO

Fee endorsement		Office fee
Amount		
Purchase price/Value		365,00
Mortgage Amount		
Reason for exemption	Cat. section Act	

ARTIKEL 40(3) WET 47 VAN 1937 SECTION 40(3) ACT 47 OF 1937

VERBIND MORTGAGE

B 33226/2016

VIR FOR R 9000 000,00

BC 000052186 / 2017

26 SEP 2017

REGISTRAR/REG.

T 000056022 / 2017

CERTIFICATE OF CONSOLIDATED TITLE

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

WHEREAS

GYSBERTUS DU TOIT NAUDE

duly authorised hereto by a resolution of the directors of
REYNEKE WINES PROPERTIES PROPRIETARY LIMITED
Registration Number: 1997/000172/07

DATA / VERIFY
29 SEP 2017
NANDIPHA KETILE

has applied for the issue to REYNEKE WINES PROPERTIES PROPRIETARY LIMITED,
Registration Number 1997/000172/07, of a Certificate of Consolidated Title under the
provisions of Section 40(3) of the Deeds Registries Act 47 of 1937;

DATA / CAPTURE
28 SEP 2017
PHUMELELA MNAMATA

AND WHEREAS

REYNEKE WINES PROPERTIES PROPRIETARY LIMITED

Registration Number: 1997/000172/07

is the registered owner of:

1. PORTION 21 OF THE FARM PROVENCE NUMBER 402, IN THE MUNICIPALITY AND DIVISION STELLENBOSCH, PROVINCE OF THE WESTERN CAPE

HELD by Deed of Transfer Number T 000056021 / 2017

(3)

AND

2. PORTION 22 OF THE FARM PROVENCE NUMBER 402, IN THE MUNICIPALITY AND DIVISION STELLENBOSCH, PROVINCE OF THE WESTERN CAPE

HELD by Deed of Transfer Number T

(3)

AND

000056021 / 2017

3. REMAINDER FARM NUMBER 1428 IN THE MUNICIPALITY AND DIVISION STELLENBOSCH, PROVINCE OF THE WESTERN CAPE

HELD by Deed of Transfer T40171/2016

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

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

REYNEKE WINES PROPERTIES PROPRIETARY LIMITED

Registration Number: 1997/000172/07

its Administrators or Assigns, is the registered owner of

THE FARM NUMBER 1594 IN THE MUNICIPALITY AND DIVISION STELLENBOSCH,
PROVINCE OF THE WESTERN CAPE

IN EXTENT: 38,8266 (THREE EIGHT COMMA EIGHT TWO SIX SIX) HECTARES

AS WILL MORE FULLY APPEAR FROM DIAGRAM S.G. NUMBER 872/2017

I. INsofar as the land represented by the figure ABCxA1B1C1 on the said Diagram
number S.G 872/2017 is concerned:

A. SUBJECT to the conditions referred to in Deed of Transfer number
T6616/1914.

B. SUBJECT FURTHER to the condition referred to in Notarial Deed of Servitude
dated the 29th October 1937 annexed to the said Deed of Transfer number
T6616/1914 and referred to in portion (b) of the endorsement thereon dated
the 10th December 1937, which reads as follows:-

REGISTRATION OF SERVITUDE

By Notarial Deed dated 29th October 1937..... (b) a servitude relating to the
exclusive use of water from the fountains, the reservoir and pipeline and
access thereto is created in favour of the owner, his successors in title of the
farm Veelverjaagd held under Deed of Transfer number T6617/1914. Subject
to conditions as will more fully appear on reference to the copy annexed
hereto."

C. BY Deed of Transfer number T3501/1967, the withinmentioned property,
measuring 90,2949 (ninety comma two nine four nine) hectares, is entitled by
Notarial Deed number K1118/84S dated 26 October 1984 to certain rights of
water supply over:

PORTION 7 OF THE FARM VEELVERJAAGT NUMBER 400

IN EXTENT: 8,9895 (EIGHT COMMA NINE EIGHT NINE FIVE) Hectares

HELD BY Deed of Transfer number T3170/1968

As will more fully appear on the said notarial deed

II. INSOFAR as the land represented by the figure FGHJzyE on the said Diagram number S.G. 872/2017 is concerned:

A. SUBJECT to the conditions referred to in Deed of Transfer number T6616/1914.

B. SUBJECT FURTHER to the condition referred to in Notarial Deed of Servitude dated the 29th October 1937 annexed to the said Deed of Transfer number T6616/1914 and referred to in portion (b) of the endorsement thereon dated the 10th December 1937, which reads as follows:-

REGISTRATION OF SERVITUDE

By Notarial Deed dated 29th October 1937..... (b) a servitude relating to the exclusive use of water from the fountains, the reservoir and pipeline and access thereto is created in favour of the owner, his successors in title of the farm Veelverjaagd held under Deed of Transfer number T6617/1914. Subject to conditions as will more fully appear on reference to the copy annexed hereto."

C. BY Deed of Transfer number T3501/1967, the withinmentioned property, measuring 90,2949 (ninety comma two nine four nine) hectares, is entitled by Notarial Deed number K1118/84S dated 26 October 1984 to certain rights of water supply over:

PORTION 7 OF THE FARM VEELVERJAAGT NUMBER 400
IN EXTENT: 8,9895 (EIGHT COMMA NINE EIGHT NINE FIVE) Hectares

HELD BY Deed of Transfer number T3170/1968

As will more fully appear on the said notarial deed

D. By Notarial Deed of Servitude number K658/2014S dated 8 April 2014 and registered on 11 July 2014, the within-mentioned property is

SUBJECT TO-

1. A 6,00 metre wide servitude right of way, which the middle of an existing road and servitude right of way is represented by the curved lines xD and Ey, except where restricted by the boundary line as shown on Diagram S.G number 3081/2013 in favour of Portion 20 of the Farm Provenge Number 402.

Which servitude is now represented by curvilinear line bc, which represents the Centre Line of a Servitude of Right of Way 6 metre wide as shown on Diagram number S.G 872/2017.

2. A 6,00 metre wide servitude right of way, which line ABC represents the North-eastern boundary of the said servitude right of way, as shown on Diagram S.G number 3081/2013 in favour of Portion 20 of the Farm Provenge Number 402.

Which servitude is now represented by the line Ha, as shown on Diagram number S.G 872/2017.

As will more fully appear on reference to the said Notarial Deed

III. INSOFAR as the land represented by the figure DEyzKLMNPQRSw on the said Diagram number S.G 872/2017 is concerned:

A. SUBJECT to the conditions referred to in Deed of Transfer Number T 6617/1914.

B. ENTITLED to the benefits as referred to in condition (d) in the said Deed of Transfer Number T 6617/1914, which reads as follows:

"A right of way 15 feet wide from the beacon K of "Provence" over the above described property in a South South Easterly direction along and over the existing road up to the proclaimed Divisional Council Road."

C. By Deed of Transfer Number T3501/1967, the withinmentioned property, measuring 90,2949 (NINETY comma TWO NINE FOUR NINE) hectares, is entitled by Notarial Deed Number K1118/1984S dated 26 October 1984, to certain rights of water supply over:

PORTION 7 OF THE FARM VEELVERJAAGT NUMBER 400
IN EXTENT: 8,9895 (EIGHT comma NINE EIGHT NINE FIVE) hectares

HELD BY Deed of Transfer Number T 3170/1968

As will more fully appear on said notarial deed

IV. INSOFAR as the land represented by the figure DwSTUVWXYZA1x on the said Diagram number S.G 872/2017 is concerned:

A. SUBJECT to the conditions referred to in Deed of Transfer Number T15930/1959.

V. INSOFAR as the land represented by the figure DyzKLMNPQRSTUVWXYZA1x on the said Diagram number S.G 872/2017 is concerned:

A. By virtue of Notarial Deed of Servitude, K 217/2013 S, dated 14th June 2011 and registered on 14 March 2013, as contained in Deed of Transfer Number T 5311/2016, the within Servitude K 1157/2001 on page 3 of Deed of Transfer Number T 43247/2005 is cancelled in exchange for the registration of the following servitude:

The within property is ENTITLED to a perpetual servitude of water supply to convey water from boreholes denoted by servitude area GHJK on annexed Diagram SG Number 620/2011 in by means of a pipeline

servitude denoted by the lines AB, BC, CD, DE en EF, on Diagram SG No 620/2011 or directly from the borehole, denoted by servitude area GHJK on Diagram S.G. Number 620/2011, over Farm 1429 Stellenbosch, held by Deed of Transfer T 104111/2001.

With ancillary rights.

As will more fully appear from the said Notarial Deed.

B. By Notarial Deed Number K 45/2014 S dated 18 October 2013 and registered on 28 January 2014, as contained in Deed of Transfer Number T 5311/2016, the within property is

1. Subject to a reciprocal praedial road servitude in favour of the Farm Number 1560, measuring 17,9644 hectares; held by Certificate of Consolidated Title Number T 2764/2014.
2. Entitled to a reciprocal praedial road servitude over the Farm Number 1560, measuring 17,9644 hectares; held by Certificate of Consolidated Title Number T 2764/2014

the southern boundary of which is indicated by the line LMNPQR on servitude diagram SG Number 872/2017. Subject to further terms and conditions.

As will more fully appear from said notarial deed.

C. By Notarial Deed of Servitude Number K 659/2014, dated 8th April 2014, and registered on 11 July 2014, as contained in Deed of Transfer Number T 5311/2016, the within mentioned property is:

SUBJECT TO

Shall be subject to a 6,00 metre wide servitude right of way, which curved line xy represents as the middle of an existing road and said servitude right of way, except where restricted by the boundary line as shown on Diagram

SG Number 3082/2013 in favour of Portion 20 of the Farm Province Number 402.

Which servitude is now represented by the curved line cd, which represents as the centre line of the said servitude right of way, as shown on Diagram number S.G 872/2017.

As will more fully appear on reference to the said Notarial Deed.

D. SUBJECT to the following right of first refusal imposed in favour of the Transferor, namely The Trustees for the time being of DOLBY NASH FAMILY TRUST, Registration Number IT 710/2011, as imposed in the Deed of Sale dated 13 May 2016, entered into between the Transferee and the Transferor, which condition is contained in clause 17 of the said Deed of Sale, namely:

1. Should the Transferee decide to sell the within mentioned property, the transferee shall:
 - 1.1 give written notice to the Transferor of its intention to sell the property;
 - 1.2 in such written notice state the terms and conditions upon which the Transferee intends to sell the property;
 - 1.3 permit the Transferor not less than 21 (twenty one) days to purchase from the Transferee the property so to be offered for sale on such terms and conditions.
2. Should a notice be served by the Transferee as contemplated in clause 1 above on the Transferor and the Transferor should not exercise its right of first refusal in respect of the property of the Transferee, the Transferee shall thereafter be entitled to sell the property free of this right of first refusal within a period of 6 (six) months after the closing of the right of first refusal. Should the Transferee not be successful in selling the property within such period, any subsequent intended sale by the Transferee shall then again be subject to a right of first refusal in favour of the Transferor.

3. Should the Transferee offer for sale the property to the Transferor and the right of first refusal not be exercised, the Transferee shall not sell the property to a third party on terms and conditions more favourable than the terms and conditions as offered to the Transferor unless it has first again offered the property to the Transferor on such more favourable terms and conditions in terms of clause 1.3.
4. In the event that the shareholder of the Transferee should in future decide to sell all of its shares held in the Transferee and the main asset of the Transferee, at that stage, should be the property acquired by the Transferee from the Transferor in terms of this agreement, the Transferee shall procure that the shareholder of the Transferee offers the Transferor a right of first refusal to acquire such shares on terms and conditions similar to those contained in the clauses above.

And that by virtue of these presents the said

REYNEKE WINES PROPERTIES PROPRIETARY LIMITED

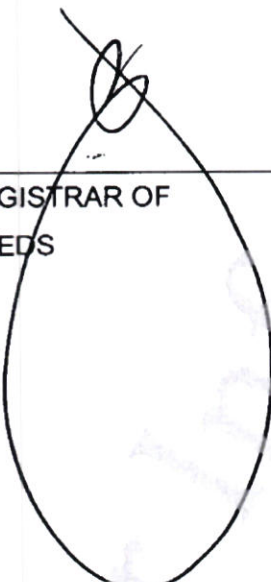
Registration Number: 1997/000172/07

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 **26 SEP 2017** 2017.

REGISTRAR OF
DEEDS



CERTIFICATE OF CONSOLIDATED TITLE T

000056022/2017

2

SUBJECT TO a servitude of right of first refusal over

THE REMAINDER OF THE FARM PROVENCE NUMBER 402 IN THE MUNICIPALITY AND
DIVISION OF STELLENBOSCH, PROVINCE OF THE WESTERN CAPE

MEASURING: 43,1811 (four three comma one eight one one) Hectares

HELD by Deed of Transfer Number T5311/2016

in favour of

REYNEKE WINES PROPERTIES PROPRIETARY LIMITED
Registration number: 1997/000172/07

AS WILL more fully appear from Notarial Deed of Servitude Number K 000000917/2017

b

Deeds Office
CAPE TOWN

Registrar of
Deeds

OPR KONTREKKE ENKOPPELINGSREKKE
VIR VERREKKE ENKOPPELINGSREKKE

12

26 SEP 2017

CERTIFICATE OF CONSOLIDATED TITLE T

(4) / 2017

SUBJECT TO

000056021 / 2017

1. A 4 metre wide servitude of right of way, depicted by the curvilinear line fg on Diagram S.G. number 872/2017, and
2. A 6 metre wide servitude of right of way, depicted by the curvilinear line hj on Diagram S.G. number 872/2017 up to Minor Road, and
3. A 6 metre wide servitude of right of way, depicted by the lines HJ and JKF2 on Diagram S.G. number 872/2017, and
4. A 4 metre wide servitude of right of way, depicted by the line F2NPQG2 on Diagram S.G. number 872/2017, over

THE FARM NUMBER 1594 IN THE MUNICIPALITY AND DIVISION STELLENBOSCH,
PROVINCE OF THE WESTERN CAPE

MEASURING: 38,8266 (three eight comma eight two six six) Hectares

HELD by Certificate of Consolidated Title T

000056022 / 2017

in favour of

THE REMAINDER OF THE FARM PROVENANCE NUMBER 402 IN THE MUNICIPALITY AND
DIVISION OF STELLENBOSCH, PROVINCE OF THE WESTERN CAPE

MEASURING: 43,1811 (four three comma one eight one one) Hectares

HELD by Deed of Transfer Number T5311/2016

AS WILL more fully appear from Notarial Deed of Servitude Number K000000918 / 2017

Deeds Office

CAPE TOWN

26 SEP 2017

Registrar of
Deeds

CERTIFICATE OF CONSOLIDATED TITLE T 56022⁽⁴⁾ / 2017

SUBJECT TO

1. A pipeline servitude, 2,0 metres wide, depicted by the line Z1A2 and B2C2 up to Minor Road number 5208 on Diagram S.G. Number 872/2017, and
2. A pipeline servitude 2,0 metres wide, depicted by the lines C2XY, YZ, and ZA1B1 on Diagram S.G. number 872/2017, and
3. A pipeline servitude 2,0 metres wide, depicted by the line eE2 and the line E2P1 up to Minor Road number 5208 on Diagram 872/2017, over

THE FARM NUMBER 1594 IN THE MUNICIPALITY AND DIVISION STELLENBOSCH, PROVINCE OF THE WESTERN CAPE

MEASURING: 38,8266 (three eight comma eight two six six) Hectares

HELD by Certificate of Consolidated Title T 000056022⁽⁴⁾ / 2017

in favour of

THE REMAINDER OF THE FARM PROVENANCE NUMBER 402 IN THE MUNICIPALITY AND DIVISION OF STELLENBOSCH, PROVINCE OF THE WESTERN CAPE

MEASURING: 43,1811 (four three comma one eight one one) Hectares

HELD by Deed of Transfer Number T5311/2016

AS WILL more fully appear from Notarial Deed of Servitude Number K000000919 / 2017⁽⁸⁾ S

Deeds Office
CAPE TOWN

Registrars
Deeds

CERTIFICATE OF CONSOLIDATED TITLE T 56022/2017

- A. SUBJECT TO a servitude of Building Restriction of 6,4047 (six comma four zero four seven) hectares, depicted by the line D1E1F1G1H1J1K1L1M1TN1P1Q1R1S1T1V1W1X1Y1XYZ, on Diagram S.G. Number 872/2017, over

THE FARM NUMBER 1594 IN THE MUNICIPALITY AND DIVISION STELLENBOSCH, PROVINCE OF THE WESTERN CAPE

MEASURING: 38,8266 (three eight comma eight two six six) Hectares

HELD by Certificate of Consolidated Title T 56022/2017

in favour of

THE REMAINDER OF THE FARM PROVENANCE NUMBER 402 IN THE MUNICIPALITY AND DIVISION OF STELLENBOSCH, PROVINCE OF THE WESTERN CAPE

MEASURING: 43,1811 (four three comma one eight one one) Hectares

HELD by Deed of Transfer Number T5311/2016

- B. SUBJECT TO restricted use of the area, represented by the figure ABCB1, over

THE FARM NUMBER 1594 IN THE MUNICIPALITY AND DIVISION STELLENBOSCH, PROVINCE OF THE WESTERN CAPE

MEASURING: 38,8266 (three eight comma eight two six six) Hectares

HELD by Certificate of Consolidated Title T 56022/2017

in favour of

THE REMAINDER OF THE FARM PROVENANCE NUMBER 402 IN THE MUNICIPALITY AND DIVISION OF STELLENBOSCH, PROVINCE OF THE WESTERN CAPE

MEASURING: 43,1811 (four three comma one eight one one) Hectares

HELD by Deed of Transfer Number T5311/2016

AS WILL more fully appear from Notarial Deed of Servitude Number K

Deeds Office
CAPE TOWN

000000920/2017

Registrar of Deeds.

ANNEXURE 6

1509

Smal & Associates
Dorpstraat 104
Stellenbosch
7600

Opgestel deur my

Fee endorsement		
	Amount	Office fee
Purchase price/Value	R. 15 000 000.00	R. 2500.00
Mortgage capital Amount	R.	R.
Reason for exemption	Exempt i.t.o. Cat. section. Act.	


TRANSPORTBESORGER
ARNO WATSON

T 000036691 / 2014

TRANSPORTAKTE

HIERBY WORD BEKEND GEMAAK DAT

ARNO WATSON

voor my verskyn het, REGISTRATEUR VAN AKTES te Kaapstad, hy die genoemde komparant synde behoorlik daartoe gemagtig kragtens 'n Volmag aan hom verleen deur

SERENITE INVESTMENTS (EDMS) BPK
Registrasienommer 1999/014871/07

geteken te STELLENBOSCH op 5 JUNIE 2014

DATA / CAPTURE
21 JUL 2014
KETILEN

DATA / VERIFY
24 JUL 2014
ZAWULA THULANI

En genoemde Komparant het verklaar dat sy prinsipaal, op 31 Mei 2014, waarlik en wettiglik verkoop by Privaat ooreenkoms, en dat hy, in sy voorgenoemde hoedanigheid hierby sedgeer en transporteer aan en ten gunste van

Die Trustees indertyd van DE VOETBOEG TRUST
Registrasienommer IT20499/2014

diese Opvolgers in Amp of Regverkrygendes, in volkome en vrye eiendom

GEDEELTE 1 VAN DIE PLAAS ROSENDAL NR. 401
IN DIE MUNISIPALITEIT EN AFDELING STELLENBOSCH
WES-KAAP PROVINSIE

GROOT 2,1590 (TWEE KOMMA EEN VYF NEGE NUL) Hektaar

EERSTE OORGEDRA kragtens Transportakte Nommer T25476/1948 met Kaart
Nr 6461/1948 daarby aangeheg en gehou kragtens Transportakte Nommer
T73446/1999

- A. ONDERHEWIG aan die voorwaardes waarna verwys word in Transportakte Nr T8583/1913 gedateer 29 September 1913.
- B. ONDERHEWIG VERDER aan die volgende voorwaardes genoem in gemelde Transportakte Nr T25476/1948 opgelê deur die transportgewer daarin ten gunste van homself en sy opvolgers in titel as eienaars van die restant van die grond deur hom gehou kragtens die gemelde Transportakte Nr T8583/1913 en ook die grond deur hom gehou kragtens Transportakte Nr T8584/1913 gedateer 29 September 1913 te wete seker stuk afgeskaft erfpaggrond, geleë in die Afdeling Stellenbosch, synde Perseel, groot 46,1285 hektaar, naamlik:

"(1) That the transferee and his successor in title as owners of the said Portion 1 shall not be entitled to subdivide the said Portion 1."

- C. GEREGTIG op die voordele van die volgende voorwaardes genoem in die gemelde Transportakte Nr 25476/1948 naamlik:

"That the transferee hereunder and his successors in title as owners of the said Portion 1 shall be entitled to the use (which use shall, however, not be an exclusive use) of a right of way 5,67 metres wide over:

- (a) the transferor's land held by him under the said Deed of Transfer No. T8584/1913 dated 29th September 1913, to wit:

Certain piece of quitrent land situate in the Division of Stellenbosch, being Lot A, in extent 46,1285 hectares the south-eastern side of which right of way is marked on the diagram (No. 6460/1948) of Portion 1 aforesaid with a red line running from the beacon b to the road marked "plaaspad" which right of way runs along the south-eastern boundary of the aforesaid Lot A held under the said Deed of Transfer No. T8584/1913 dated 29th September 1913, which boundary is marked EF on the diagram No. 1651/1913 thereof, from the point E up to the said "plaaspad" and

- (b) the remaining extent of the transferor's land held by him under the aforesaid Deed of Transfer No. T8584/1913 dated 29th September 1913, the south-eastern side of which right of way is marked on the diagram (No 6461/1948) of portion 1 aforesaid by the letters s b."

WESHALWE die komparant afstand doen van al die regte en titel wat

SERENITE INVESTMENTS (EDMS) BPK
Registrasienommer 1999/014871/07

voorheen op genoemde eiendom gehad het, en gevolglik ook erken het dat dit geheel en al van die besit daarvan onthef en nie meer daartoe geregtig is nie en dat, kragtens hierdie akte, bogenoemde

Die Trustees indertyd van DE VOETBOEG TRUST
Registrasienommer IT20499/2014

diese Opvolgers in titel of Regverkrygendes, tans en voortaan daartoe geregtig is, ooreenkomstig plaaslike gebruik, behoudens die regte van die Staat en ten slotte erken hulle dat die verkoopprijs die bedrag van **R15 000 000,00 (Vyftien Miljoen Rand)** beloop.

TEN BEWYSE WAARVAN ek, genoemde Registrateur, tesame met die Komparant hierdie Akte onderteken en dit met die ampseël bekragtig het.

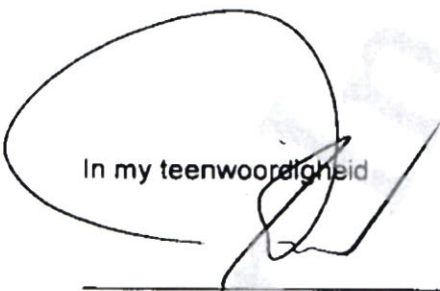
ALDUS GEDOEN EN VERLY op die Kantoor van die REGISTRATEUR VAN AKTES te Kaapstad op

15 Julie 2014



q.q.

In my teenwoordigheid


REGISTRATEUR VAN AKTES

SPECIAL POWER OF ATTORNEY

ANNEXURE 7

I / We, the undersigned

WILLEM ADRIAN RUDOLPH STANEAddress FARM BOU TERROIR STELENBOSCH Postal Code 7613Telephone 021 851 2694 Cell 0824453440in my / our capacity as the registered owner(s) or lawful Agent of the registered owner(s)
(duly authorized thereto) of**PORTION 1 OF FARM NO.1378, STELENBOSCH (FARM 1378/1)**

do hereby nominate, constitute and appoint Damien Pieter Burger and / or Mark Bernard Straughan and / or Matthew Stuart-Fox of the firm Friedlaender, Burger and Volkmann, Land Surveyors with the power of Substitution, to be my / our lawful Agent(s) in my / our name, place and stead, to make the necessary applications for the following:

proposed subdivision of Portion A of ± 1.28 Ha from Farm 1378/1 and consolidation of Portion A with Farm 401/1, and any ancillary matters

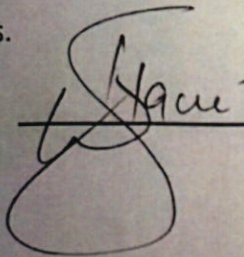
on the abovementioned property and to proceed with any required survey work to the final end and termination thereof

and generally for effecting the purposes aforesaid, to do our cause to be done whatsoever shall be requisite, as fully and effectually, for all intents and purposes, as I/we might or could do if personally present and acting herein – hereby ratifying, allowing and confirming and promising and agreeing to ratify, allow and confirm all and whatsoever my/our said Agent(s) shall lawfully do, or cause to be done.

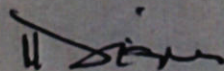
SIGNED at STELLENBOSCH this 21st day of OCTOBER 2019

in the presence of the undersigned witness.

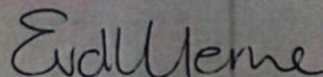
Signature (Owner(s) or Lawful Agent)



WITNESS 1:



WITNESS 2:



ANNEXURE 8

SPECIAL POWER OF ATTORNEY

I / We, the undersigned

Johan Reyneke
Address Uitricht, Potlhadlwa road Postal Code 7604
Telephone 021-8813517 Cell 0836591826

in my / our capacity as the registered owner(s) or lawful Agent of the registered owner(s) (duly authorized thereto) of

Portion 19 of farm No. 402 Stellenbosch

do hereby nominate, constitute and appoint Damien Pieter Burger and / or Mark Bernard Straughan of the firm Friedlaender, Burger and Volkmann, Land Surveyors with the power of Substitution, to be my / our lawful Agent(s) in my / our name, place and stead, to make the necessary applications for the following:

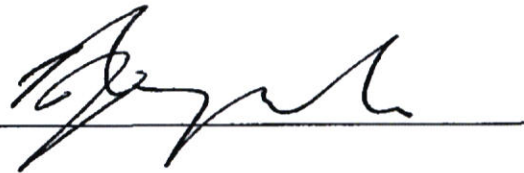
proposed subdivision and consolidation with Portion 1 of Farm No. 401

on the abovementioned property and to proceed with any required survey work to the final end and termination thereof

and generally for effecting the purposes aforesaid, to do our cause to be done whatsoever shall be requisite, as fully and effectually, for all intents and purposes, as I/we might or could do if personally present and acting herein – hereby ratifying, allowing and confirming and promising and agreeing to ratify, allow and confirm all and whatsoever my/our said Agent(s) shall lawfully do, or cause to be done

SIGNED at Stellenbosch this 6th day of June 20 19
in the presence of the undersigned witness.

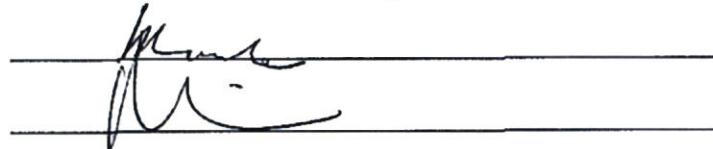
Signature (Owner(s) or Lawful Agent)



WITNESS 1:



WITNESS 2:



ANNEXURE 9

SPECIAL POWER OF ATTORNEY

I / We, the undersigned

Johan Reyneke
Address Uitzicht, Polkadraai road Postal Code 7604
Telephone 021-8813517 Cell 0836591826

in my / our capacity as the registered owner(s) or lawful Agent of the registered owner(s) (duly authorized thereto) of

Farm No. 1594 Stellenbosch

do hereby nominate, constitute and appoint Damien Pieter Burger and / or Mark Bernard Straughan of the firm Friedlaender, Burger and Volkmann, Land Surveyors with the power of Substitution, to be my / our lawful Agent(s) in my / our name, place and stead, to make the necessary applications for the following:

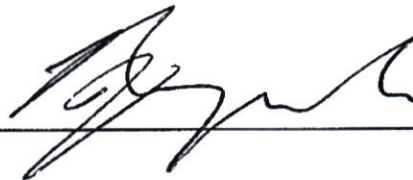
proposed subdivision and consolidation with Portion 19 of Farm No. 402 Stellenbosch

on the abovementioned property and to proceed with any required survey work to the final end and termination thereof

and generally for effecting the purposes aforesaid, to do our cause to be done whatsoever shall be requisite, as fully and effectually, for all intents and purposes, as I/we might or could do if personally present and acting herein – hereby ratifying, allowing and confirming and promising and agreeing to ratify, allow and confirm all and whatsoever my/our said Agent(s) shall lawfully do, or cause to be done

SIGNED at Stellenbosch this 6th day of June 2019
in the presence of the undersigned witness.

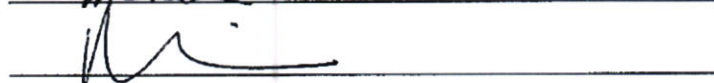
Signature (Owner(s) or Lawful Agent)



WITNESS 1:



WITNESS 2:



SPECIAL POWER OF ATTORNEY

I / We, the undersigned

Christopher Kimber obo de Vaetbaeg Trust.

Address P.O. Box 31, Stellenbosch Postal Code 7600

Telephone _____ Cell 0832682818

in my / our capacity as the registered owner(s) or lawful Agent of the registered owner(s) (duly authorized thereto) of

PORTION 1 OF THE FARM NO. 401 STELLENBOSCH

do hereby nominate, constitute and appoint Damien Pieter Burger and / or Mark Bernard Straughan of the firm Friedlaender, Burger and Volkmann, Land Surveyors with the power of Substitution, to be my / our lawful Agent(s) in my / our name, place and stead, to make the necessary applications for the following:

proposed subdivisions of Portion 1 of farm no. 1378 and Portion 19 of Farm No. 402 and consolidation with Portion 1 of farm No 401.

Furthermore Farm No. 1594 Stellenbosch subdivision and consolidation with Portion 19 of Farm No. 402 Stellenbosch

and to proceed with any required survey work to the final end and termination thereof and generally for effecting the purposes aforesaid, to do our cause to be done whatsoever shall be requisite, as fully and effectually, for all intents and purposes, as I/we might or could do if personally present and acting herein – hereby ratifying, allowing and confirming and promising and agreeing to ratify, allow and confirm all and whatsoever my/our said Agent(s) shall lawfully do, or cause to be done and undertake and agree to settle all accounts rendered in connection with the abovementioned work which are payable within 30 days of same being rendered failing which it is agreed that interest will accrue on the balance outstanding from time to time at the rate of 2% per month,

SIGNED at Stellenbosch this 11 day of April 2019
in the presence of the undersigned witness.

Signature (Owner(s) or Lawful Agent)

WITNESS 1:

WITNESS 2:

ANNEXURE 11

RESOLUTION PASSED BY THE DIRECTORS OF AGRI MARKETING EXCHANGE PROPRIETARY LIMITED (REGISTRATION NUMBER 1994/007590/07) ("the Company")

1. **RESOLVED THAT** the Company enters into a lease agreement with the De Voetboeg Trust (Registration Number T20499/2014) ("De Voetboeg Trust") in terms of which the De Voetboeg Trust is to hire a certain portion of Portion 1 of Farm Number 1378, situate in the Municipality and Division of Stellenbosch, Province of the Western Cape, in extent approximately 1 ha (one hectare), and which, at the signature date of this resolution, is an unregistered subdivision ("the Leased Portion"), from the Company, upon *inter alia* the terms stipulated in paragraphs 1.1 and 1.2 below ("the Lease Agreement"):

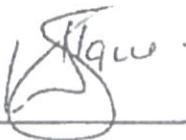
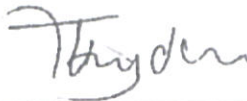
1.1. in consideration for the hiring of the Leased Portion in terms of the Lease Agreement, the De Voetboeg Trust shall advance to the Company, as an interest-free loan, R 3,500,000.00 (three million five hundred thousand Rand), which loan shall be retained by the Company, subject thereto that upon the termination of the Lease Agreement in the circumstances as contemplated in clauses 7.1.2 or 7.1.3 of the Lease Agreement, the Company shall be obliged to repay the full loan; and

1.2. in the event that approval in terms of the Subdivision of Agricultural Land Act No. 70 of 1970 for the subdivision of the Leased Portion from the Company's farm referred to in paragraph 1 above is granted by the Minister of Agriculture upon terms and conditions which are reasonably acceptable to the De Voetboeg Trust, the Company undertakes to sell to the De Voetboeg Trust who undertakes to purchase the Leased Portion on the terms and conditions recorded in the draft agreement of sale attached to the Lease Agreement, and the De Voetboeg Trust and the Company will enter into a formal agreement of sale,

which Lease Agreement shall further be concluded upon terms and conditions substantially similar to the draft Lease Agreement tabled before the directors of the Company.

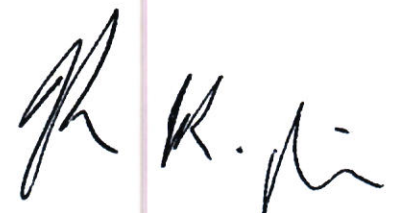
2. **CONFIRMED THAT** the proposed sale of the Leased Portion to the De Voetboeg Trust referred to in paragraph 1.2 above does not constitute the sale of all or the greater part of the assets of the Company and that a special resolution in terms of sections 112 and 115 of the Companies Act No. 71 of 2008, is accordingly not required by all of its shareholders approving such sale.

3. **RESOLVED FURTHER THAT** Mr Willem Adriaan Rudolph Dique, as director, be and is hereby authorised to negotiate, finalise and sign on behalf of the Company the proposed Lease Agreement, as well as any further documentation as may be required to give effect to the Lease Agreement, all or any actions taken or to be taken by Mr Willem Adriaan Rudolph Dique being hereby confirmed, approved and ratified.

Name of trustee	Signature	Date of signature
Willem Adriaan Rudolph Dique (Identity Number 530224 5089 08 6)		24.5.2019
Hanelie Luceia Strydom (Identity Number 750708 0149 08 8)		24.5.2019
* All directors to sign resolution.		

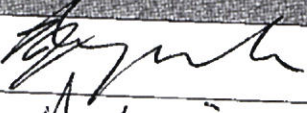
**RESOLUTION PASSED BY THE TRUSTEES FOR THE TIME BEING OF THE J R FARMING TRUST
(REGISTRATION NUMBER 2734/1995) ("the Trust")**

1. **RESOLVED THAT** the trustees approve the acceptance of payment by De Voetboeg Trust of a monthly opportunity fee in consideration for the Trust binding itself to pursue approval by the Minister of Agriculture in terms of the Subdivision of Agricultural Land Act No. 70 of 1970 for the subdivision ("Act 70 of 70 Approval") of a certain portion of Portion 19 of Farm Provenance Number 402, situate in the Municipality and Division of Stellenbosch, Province of the Western Cape held by the Trust ("the Farm"), in extent approximately 2 ha (two hectares), and which is an unregistered subdivision ("the Property") from the Farm and, if obtained, for De Voetboeg Trust to enjoy an opportunity to conclude an agreement of sale with the Trust in respect of the Property, upon the terms set out below ("the Opportunity Fee Agreement").
2. The further terms of the Opportunity Fee Agreement are *inter alia* as stipulated in paragraphs **Error! Reference source not found.** to 2.3 below:
 - 2.1. the monthly opportunity fee payable by De Voetboeg Trust to the Trust shall be an amount of R 34,375.00 (thirty-four thousand three hundred and seventy-five Rand) per month plus attributable VAT ("the Opportunity Fee");
 - 2.2. the Opportunity Fee shall be non-refundable by the Trust, save in the event that Act 70 of 70 Approval is obtained and the Trust then thereafter fails to conclude an agreement of sale with De Voetboeg Trust for any reason other than should the Trust, despite its best endeavours, not be able to purchase the adjoining landholding (Portion C) from Reyneke Wines Prop (Pty) Ltd as contemplated in the Opportunity Fee Agreement, in which event the Trust shall be obliged to refund De Voetboeg Trust on demand an amount equal to all the monthly Opportunity Fees which De Voetboeg Trust paid to it in terms of the Opportunity Fee Agreement; and
 - 2.3. in the event that Act 70 of 70 Approval is obtained upon terms and conditions which are reasonably acceptable to De Voetboeg Trust, the Trust undertakes to sell to De Voetboeg Trust who undertakes to purchase the Property on the terms and conditions recorded in the draft agreement of sale attached to the Opportunity Fee Agreement and De Voetboeg Trust and the Trust will enter into a formal agreement of sale,

A handwritten signature in black ink, appearing to be 'R. K. Pi', is located at the bottom right of the page.

which Opportunity Fee Agreement shall further be concluded upon terms and conditions substantially similar to the draft the opportunity fee agreement tabled before the trustees of the Trust.

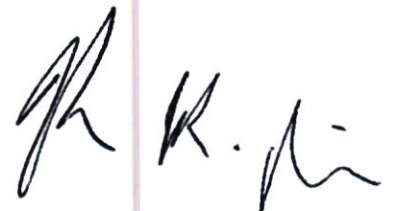
3. **RESOLVED FURTHER THAT** Mr Johan Reyneke be and is hereby authorised to negotiate, finalise and sign on behalf of the Trust the proposed Opportunity Fee Agreement, as well as any further documentation as may be required to give effect to the Opportunity Fee Agreement, all or any actions taken or to be taken by Mr Johan Reyneke being hereby confirmed, approved and ratified.

Name and Identity number of trustee(s)	Signature	Date of signature
Johan Reyneke 7012315205086		6/5/19
Mila Reyneke 6808120298098		6/5/19
Johan Reyneke (Snr) 2910105059081		6/5/19
* All trustees to sign.		

ANNEXURE 13

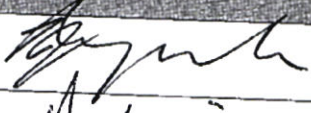
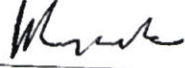
RESOLUTION PASSED BY THE TRUSTEES FOR THE TIME BEING OF THE J R FARMING TRUST (REGISTRATION NUMBER 2734/1995) ("the Trust")

1. **RESOLVED THAT** the trustees approve the acceptance of payment by De Voetboeg Trust of a monthly opportunity fee in consideration for the Trust binding itself to pursue approval by the Minister of Agriculture in terms of the Subdivision of Agricultural Land Act No. 70 of 1970 for the subdivision ("Act 70 of 70 Approval") of a certain portion of Portion 19 of Farm Provenance Number 402, situate in the Municipality and Division of Stellenbosch, Province of the Western Cape held by the Trust ("the Farm"), in extent approximately 2 ha (two hectares), and which is an unregistered subdivision ("the Property") from the Farm and, if obtained, for De Voetboeg Trust to enjoy an opportunity to conclude an agreement of sale with the Trust in respect of the Property, upon the terms set out below ("the Opportunity Fee Agreement").
2. The further terms of the Opportunity Fee Agreement are *inter alia* as stipulated in paragraphs **Error! Reference source not found.** to 2.3 below:
 - 2.1. the monthly opportunity fee payable by De Voetboeg Trust to the Trust shall be an amount of R 34,375.00 (thirty-four thousand three hundred and seventy-five Rand) per month plus attributable VAT ("the Opportunity Fee");
 - 2.2. the Opportunity Fee shall be non-refundable by the Trust, save in the event that Act 70 of 70 Approval is obtained and the Trust then thereafter fails to conclude an agreement of sale with De Voetboeg Trust for any reason other than should the Trust, despite its best endeavours, not be able to purchase the adjoining landholding (Portion C) from Reyneke Wines Prop (Pty) Ltd as contemplated in the Opportunity Fee Agreement, in which event the Trust shall be obliged to refund De Voetboeg Trust on demand an amount equal to all the monthly Opportunity Fees which De Voetboeg Trust paid to it in terms of the Opportunity Fee Agreement; and
 - 2.3. in the event that Act 70 of 70 Approval is obtained upon terms and conditions which are reasonably acceptable to De Voetboeg Trust, the Trust undertakes to sell to De Voetboeg Trust who undertakes to purchase the Property on the terms and conditions recorded in the draft agreement of sale attached to the Opportunity Fee Agreement and De Voetboeg Trust and the Trust will enter into a formal agreement of sale,



which Opportunity Fee Agreement shall further be concluded upon terms and conditions substantially similar to the draft the opportunity fee agreement tabled before the trustees of the Trust.

3. **RESOLVED FURTHER THAT** Mr Johan Reyneke be and is hereby authorised to negotiate, finalise and sign on behalf of the Trust the proposed Opportunity Fee Agreement, as well as any further documentation as may be required to give effect to the Opportunity Fee Agreement, all or any actions taken or to be taken by Mr Johan Reyneke being hereby confirmed, approved and ratified.

Name and identity number of trustee(s)	Signature	Date of signature
Johan Reyneke 7012315205086		6/5/19
Mila Reyneke 6806120298098		6/5/19
Johan Reyneke (Snr) 2910105059081		6/5/19
* All trustees to sign.		

ANNEXURE 14

RESOLUTION PASSED BY THE TRUSTEES FOR THE TIME BEING OF THE DE VOETBOEG TRUST (REGISTRATION NUMBER T20499/2014) ("the Trust")

1. **RESOLVED THAT** the trustees approve the hire by the Trust of a certain portion of Portion 1 of Farm Number 1378, situate in the Municipality and Division of Stellenbosch, Province of the Western Cape, in extent approximately 1 ha (one hectare), and which, at the signature date of this resolution, is an unregistered subdivision ("the Leased Portion"), from Agri Marketing Exchange Proprietary Limited (Registration Number 1994/007590/07) ("Agri Marketing Exchange"), upon *inter alia* the terms stipulated in paragraphs 1.1 and 1.2 below ("the Lease Agreement"):

- 1.1. in consideration for the hiring of the Leased Portion in terms of the Lease Agreement, the Trust shall advance to Agri Marketing Exchange, as an interest-free loan, R 3,500,000.00 (three million five hundred thousand Rand), which loan shall be retained by Agri Marketing Exchange, subject thereto that upon the termination of the Lease Agreement in the circumstances as contemplated in clauses 7.1.2 or 7.1.3 of the Lease Agreement, Agri Marketing Exchange shall be obliged to repay the full loan; and
- 1.2. in the event that approval in terms of the Subdivision of Agricultural Land Act No. 70 of 1970 for the subdivision of the Leased Portion from Agri Marketing Exchange's farm referred to in paragraph 1 above is granted by the Minister of Agriculture upon terms and conditions which are reasonably acceptable to the Trust, Agri Marketing Exchange undertakes to sell to the Trust who undertakes to purchase the Leased Portion on the terms and conditions recorded in the draft agreement of sale attached to the Lease Agreement, and the Trust and Agri Marketing Exchange will enter into a formal agreement of sale,

which Lease Agreement shall further be concluded upon terms and conditions substantially similar to the draft Lease Agreement tabled before the trustees of the Trust.

2. **RESOLVED FURTHER THAT** Mr Chris Kimber be and is hereby authorised to negotiate, finalise and sign on behalf of the Trust the proposed Lease Agreement, as well as any further documentation as may be required to give effect to the Lease Agreement, all or any actions taken or to be taken by Mr Chris Kimber being hereby confirmed, approved and ratified.



Name of trustee	Signature	Date of signature
Nathiera Kimber (Identity Number 711219 0196 08 5)		
* All trustees to sign.		



ANNEXURE 15

Friedlaender, Burger & Volkmann Land Surveyors

OFFICE COPY

SIDES Metres		ANGLES OF DIRECTION		CO-ORDINATES System Lo 19		S.G. No.	
		Constants :		Y	X		
					0, 00	+ 3700000, 00	
AB	277, 63	227 30 30	A	+	22384, 42	+ 58363, 10	3373/1997 Approved. <i>Stan Burger</i> for Surveyor - General 1997-06-20
BC	712, 84	328 11 30	B	+	22179, 70	+ 58175, 57	
CD	4, 16	66 47 00	C	+	21803, 98	+ 58781, 35	
DE	87, 04	66 46 00	D	+	21807, 80	+ 58782, 99	
EF	116, 70	145 39 10	E	+	21887, 78	+ 58817, 33	
FG	133, 12	68 35 10	F	+	21953, 62	+ 58720, 98	
GH	245, 82	140 29 10	G	+	22077, 55	+ 58769, 58	
HA	263, 93	145 14 40	H	+	22233, 96	+ 58579, 94	
INDICATORY DATA							
JC	9, 30	328 11 30	J	+	21808, 88	+ 58773, 45	SHEET 1 OF 2 SHEETS
HOKE	10, 80	325 39 10	K	+	21893, 87	+ 58808, 41	
		64 STELS	A	+	21306, 34	+ 58891, 41	
		400 VERDUN	A	+	17185, 33	+ 56805, 07	
<p>The figure ABCDEFG represents 15,1567 hectares of land, being</p> <p style="text-align: center;"><u>PORTION 1 OF THE FARM NO. 1378</u></p> <p>Situate in the Administrative District of Stellenbosch Province Western Cape Surveyed in May 1997 by me <i>JP Burger</i> Pr Land Surveyor</p> <p style="text-align: right;">PLS 0080 D P Burger</p>							
This diagram is annexed to No.		The original diagram is No. 3372/1997		File No. Stel 1378		S.R. No. E1315/1997	
Dated 175140/97 i.f.o.		Annexed to 1997- 75139		Comp. BHSY - 42 (M3188)		BHSY - 24 (M3153)	
Registrar of Deeds							

Description of Beacons :

C, D, E--- Not beacons

H, K--- 12mm iron peg next to planted stone

All other beacons are iron standard sections

S.G. No.

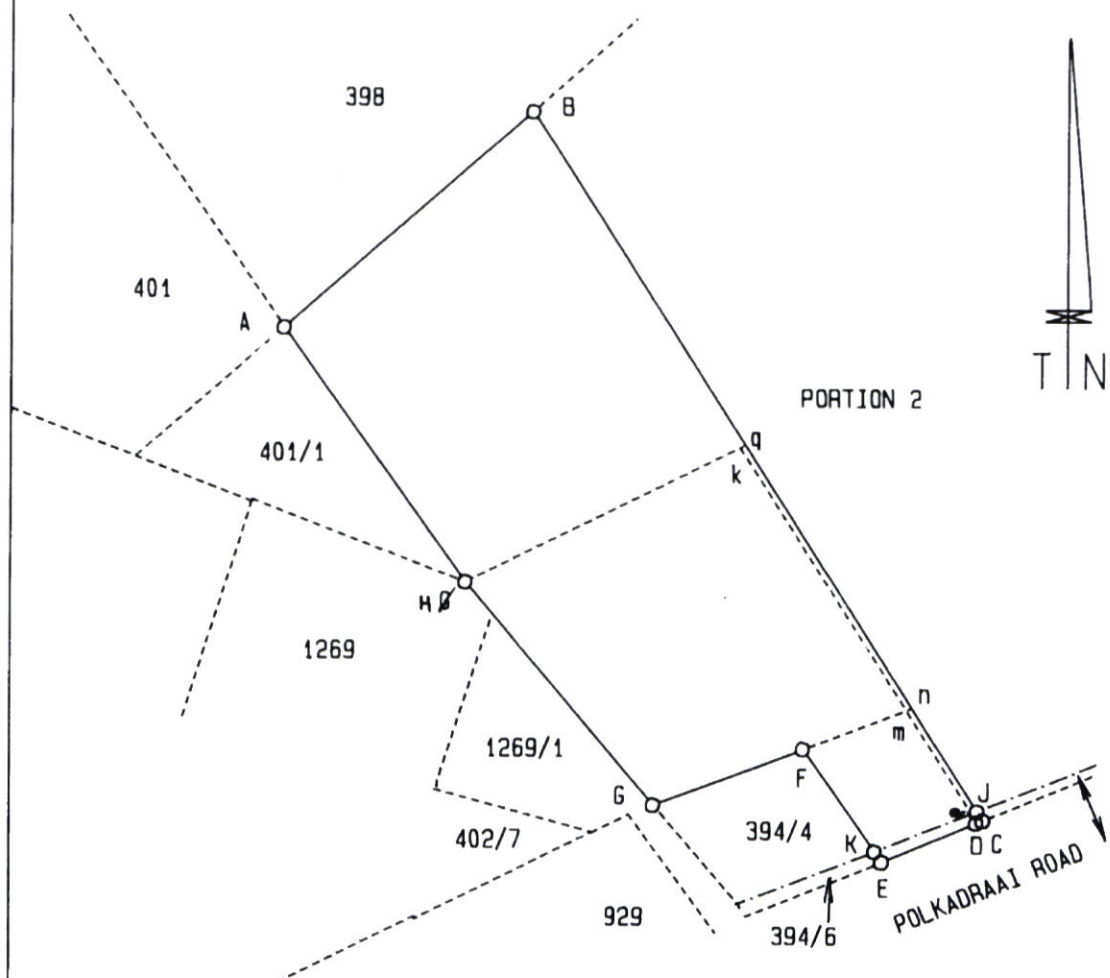
3373/1997

Approved.

Stan Burger

for
Surveyor - General
1997-06-20

SHEET 2 OF 2 SHEETS



SCALE 1 : 6000

Surveyed in May 1997
by me

D P Burger Pr Land Surveyor PLS 0080

PORTION 1 OF THE FARM NO. 1378 ADMIN. DISTRICT STELLENBOSCH

Friedlaender, Burger & Volkmann Landmeters

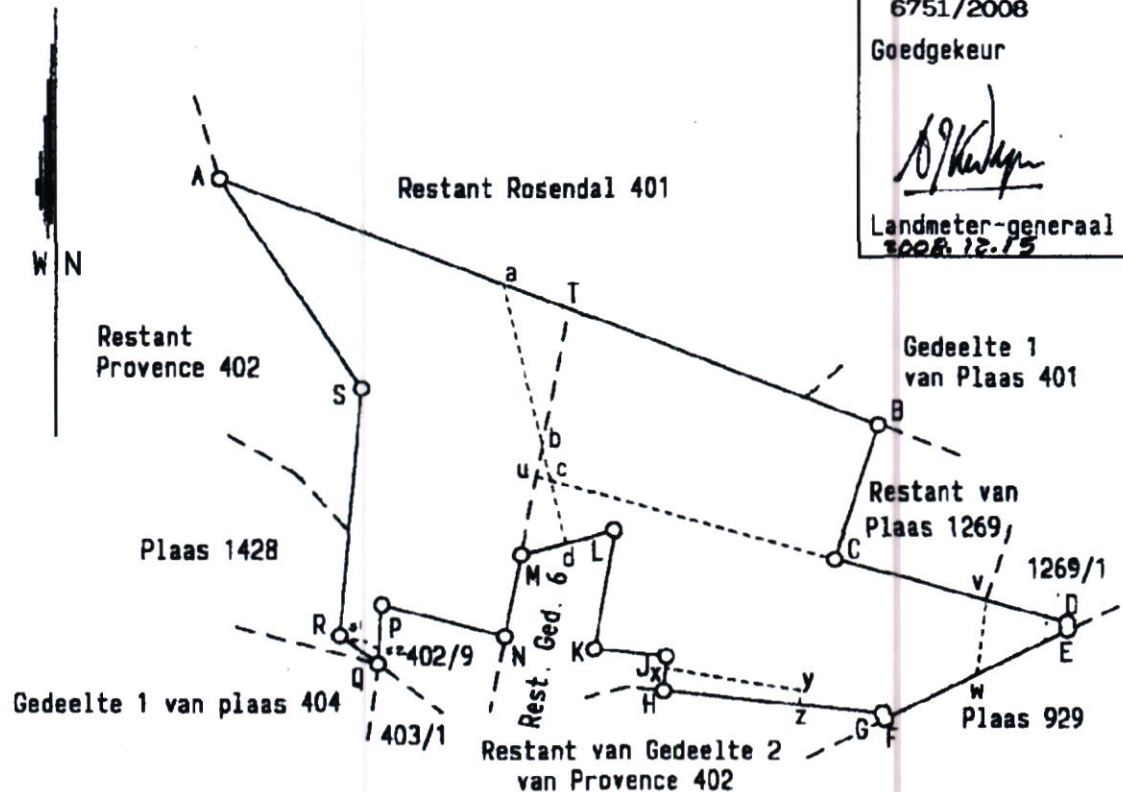
L.G. No.

6751/2008

Goedgekeur



Landmeter-generaal
2008.12.15



Komponente:

1. Figuur ATNPQRS stel Gedeelte 15 van die plaas Provence 402 voor;
Sien diagram No. 3411/2008, T/A Nr. 2009. 16032
2. Figuur TBCDEFGHJKLM stel Gedeelte 12 van die plaas Provence No 402 voor;
Sien diagram No. 3410/2008, SVT 89014/95

SKAAL 1 : 10 000

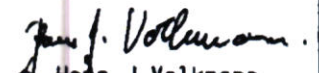
Die figuur A B C D E F G H J K L M N P Q R S
stel voor 36,7543 hektaar

grond, synde

GEDEELTE 12 van die plaas Provence 402 en bevat figure 1. en 2. bo beskryf

gelee in die Munisipaliteit van Stellenbosch in die
Administratiewe Distrik van Stellenbosch
Saamgestel in Oktober 2008
deur my

Provinsie van die Wes-Kaap


Hans J Volkmann
Pr Landmeter PLS0695

Hierdie kaart is geheg aan
No. 16033/2009
Gedateer
t.g.v.

Die oorspronklike kaart is
soos bo beskryf

Leer No. Stel.402
M.S. No. Saamgestel
Komp. BHSY-41 (M 789)
BHSY-42 (M3188)

LPI C0670000

Registrateur van Aktes

Plaas 402/19 Stellenbosch

FOR ENDORSEMENTS
SEE BACK OF DIAGRAM

S

ANNEXURE 17

DAVID HELLIG & ABRAHAMSE, LAND SURVEYORS

OFFICE COPY

Beacon Description:

All beacons are 16 mm iron peg, except
 C L M N P Q D2 F2 16 mm iron peg in gravel road
 D X A1 iron standard
 G 12 mm iron peg
 R 16 mm iron peg in tar
 S 12 mm iron peg in tar road
 U Z 15 mm iron peg
 Y middle of pillar
 B1 C1 12 mm hole in top of wall pillar

S.G. No.
872/2017

Approved

N. Koller

for Surveyor-General

02.06.2017

**Sheet No 1 of
5 Sheets**

Components:

- 1) The figure A B C x A1 B1 C1 represents Portion 21 of the Farm Provenance No 402 vide dgm no 870 /2017 D/T. 156021/2017
- 2) The figure F G H J z y E represents Portion 22 of the Farm Provenance No 402 vide dgm no 871 /2017 D/T. 156021/2017
- 3) The figure D y z K L M N P Q R S T U V W X Y Z A1^x represents the Remainder of the Farm No 1428 vide dgm no 4524/2001 D/T 2001. .104110

Note:

- 1) For Servitude Notes - see Sheet No 2.
- 2) For Data - see Sheet No 3.

The figure **A B C D E F G H J K L M N P Q R S T U V W X Y Z A1 B1 C1**

represents **38.8266 hectares** of land, being

The Farm No 1594 and comprising 1)-3) as enumerated above

Situate in **the Municipality and**

Administrative District of **Stellenbosch**

Province of the Western Cape

Surveyed between **February 2012 and May 2017**

by me

S. G. Dreyer
S G DREYER

Professional Land Surveyor
(PLS1028)

This diagram is annexed to
No: **CCT. 56022/2017**
dated
i.f.o.

The original diagrams are as
enumerated above

File No. **Stal. 1594**
S.R. No. **525/2017**
Comp. BHSY-41 (M789)

LPI C0670000

Registrar of Deeds

Farm 1594 Stellenbosch

Exempt i.f.o. Section 24(1)(g)
of Municipal Bylaw of Act 3/2014
Farm 402, Stellenbosch
Ref. to April 2017
Date

The Farm No 1594, Administrative District of Stellenbosch

S.G. No.

872/2017

Approved



for Surveyor-General

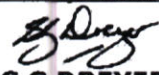
02.06.2017

**Sheet No 2 of
5 Sheets****Servitude Notes:**

- 1) The line H a represents the North Eastern Boundary of a Servitude Right of Way 6m wide vide dgm no 3081/2013 D/S 658/2014^S
- 2) The curvilinear line b c represents the Centre Line of a Servitude Right of Way 6m wide, except where restricted by the boundary line vide dgm no 3081/2013 D/S 658/2014^S
- 3) The curvilinear line c d represents the Centre Line of a Servitude Right of Way 6m wide, except where restricted by the boundary line vide dgm no 3082/2013 D/S K659/2014^S
- 4) The line L M N P Q R represents the Southern Boundary of a Servitude Road 2,50m wide vide dgm no 351/2013 D/S K45/2014^S
- 5) The figure D1 E1 F1 G1 H1 J1 K1 L1 M1 T N1 P1 Q1 R1 S1 T1 U1 V1 W1 X1 Y1 X Y Z represents a Servitude Buidling Restriction Area, measuring 6,4047 hectares in extent, as shown.
- 6) The lines Z1 A2 and B2 C2 represent the Centre Lines of a Servitude Pipeline 2m wide, up to Minor Road No 5208, as shown.
- 7) The lines C2 X Y, Y Z and Z A1 B1 respectively represent the Western, Northern and Western Boundaries of a Servitude Pipeline 2m wide, as shown.
- 8) The curvilinear line e E2 and the line E2 P1 respectively represent the Centre Lines of a Servitude Pipeline 2m wide, up to Minor Road No 5208, as shown.
- 9) The curvilinear line f g represents the Centre Line of a Servitude Right of Way 4m wide, as shown.
- 10) The curvilinear line h j represents the Centre Line of a Servitude Right of Way 6m wide, up to Minor Road No 5208, as shown.
- 11) The lines H J and J K F2 respectively represent the North Eastern and Eastern Boundaries of a Servitude Right of Way 6m wide, as shown.
- 12) The line F2 N P Q G2 represents the Southern Boundary of a Servitude Right of Way 4m wide, up to Minor Road No 5208, as shown.

Note:

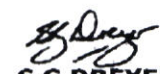
- 1) Servitude Notes 1) - 4) are indicated on Sheet No 4.
- 2) Servitude Notes 5) - 12) are indicated on Sheet No 5.

Surveyed between **February 2012 and May 2017** by me**S G DREYER**Professional Land Surveyor
(PLS1028)

Farm 1594 Stellenbosch

SIDES Metres		ANGLES OF DIRECTION	CO-ORDINATES Y System WG 19° X			S.G. No. 872/2017
		Constant		±	0,00 +3 700 000,00	Approved
AB	54,44	258 24 20	A	+23 990,01	+ 58 474,36	
BC	71,61	348 55 50	B	+23 936,68	+ 58 463,42	
CD	49,68	256 31 30	C	+23 922,93	+ 58 533,70	for Surveyor-General 02.06.2017
DE	228,30	300 30 10	D	+23 874,61	+ 58 522,12	
EF	103,58	160 20 40	E	+23 677,90	+ 58 637,99	Sheet No 3 of 5 Sheets
FG	279,87	257 07 10	F	+23 712,74	+ 58 540,44	
GH	70,09	257 58 40	G	+23 439,91	+ 58 478,06	The Farm No 1594, Admin. District of Stellenbosch
HJ	353,63	327 00 00	H	+23 371,36	+ 58 463,46	
JK	349,43	5 00 00	J	+23 178,76	+ 58 760,04	
KL	43,22	307 52 00	K	+23 209,21	+ 59 108,14	
LM	29,83	103 10 40	L	+23 175,09	+ 59 134,67	
MN	75,89	105 08 50	M	+23 204,13	+ 59 127,87	
NP	119,12	106 20 00	N	+23 277,38	+ 59 108,05	
PQ	137,03	103 21 00	P	+23 391,69	+ 59 074,54	
QR	250,24	104 50 40	Q	+23 525,02	+ 59 042,90	
RS	11,80	169 27 10	R	+23 766,91	+ 58 978,79	
ST	118,25	139 31 00	S	+23 769,07	+ 58 967,19	
TU	53,79	70 33 20	T	+23 845,84	+ 58 877,25	
UV	107,96	19 56 20	U	+23 896,56	+ 58 895,15	
VW	46,42	43 31 40	V	+23 933,38	+ 58 996,64	
WX	361,17	170 00 30	W	+23 965,35	+ 59 030,29	
XY	58,36	193 51 20	X	+24 028,01	+ 58 674,60	
YZ	50,38	258 34 20	Y	+24 014,03	+ 58 617,94	
ZA1	58,44	169 14 10	Z	+23 964,65	+ 58 607,96	
A1B1	4,13	170 56 50	A1	+23 975,57	+ 58 550,55	
B1C1	0,25	256 31 30	B1	+23 976,22	+ 58 546,47	
C1A	73,40	168 58 10	C1	+23 975,98	+ 58 546,41	
Servitude Data						
D1E1	85,46	256 28 50	D1	+23 975,44	+ 58 551,23	
E1F1	22,88	286 47 40	E1	+23 892,35	+ 58 531,25	
F1G1	22,03	350 53 00	F1	+23 870,45	+ 58 537,86	
G1H1	370,07	348 38 50	G1	+23 866,96	+ 58 559,61	
H1J1	16,36	144 01 40	H1	+23 794,11	+ 58 922,44	
J1K1	16,21	137 13 30	J1	+23 803,72	+ 58 909,20	
K1L1	12,86	130 39 00	K1	+23 814,73	+ 58 897,30	
L1M1	14,61	120 17 00	L1	+23 824,49	+ 58 888,92	
M1T	9,73	116 13 20	M1	+23 837,11	+ 58 881,55	
TN1	12,01	93 00 30	N1	+23 857,83	+ 58 876,62	
N1P1	7,11	87 30 00	P1	+23 864,93	+ 58 876,93	
P1Q1	3,78	80 05 20	Q1	+23 868,65	+ 58 877,58	
Q1R1	15,58	68 42 10	R1	+23 883,17	+ 58 883,24	
R1S1	14,17	54 59 50	S1	+23 894,78	+ 58 891,37	
S1T1	7,71	43 44 20	T1	+23 900,11	+ 58 896,94	
T1U1	10,96	32 31 00	U1	+23 906,00	+ 58 906,18	
U1V1	19,54	28 41 20	V1	+23 915,38	+ 58 923,32	
V1W1	40,96	27 21 10	W1	+23 934,20	+ 58 959,70	
W1X1	40,31	29 42 00	X1	+23 954,17	+ 58 994,71	
X1Y1	18,86	104 20 20	Y1	+23 972,44	+ 58 990,04	
Y1X	320,30	170 00 30				
ZD1	57,75	169 14 10				
Z1A2	5,63	111 08 20	Z1	+23 932,49	+ 58 994,20	
B2C2	26,34	111 05 50	A2	+23 937,74	+ 58 992,17	
C2X	308,04	170 00 30	B2	+23 949,99	+ 58 987,45	
B1D2	57,80	256 31 30	C2	+23 974,56	+ 58 977,97	
E2P1	4,69	345 18 40	D2	+23 920,01	+ 58 533,00	
KF2	17,82	21 01 10	E2	+23 866,12	+ 58 872,39	
F2N	64,00	105 08 50	F2	+23 215,60	+ 59 124,77	
QG2	240,41	104 50 40	G2	+23 757,41	+ 58 981,31	
	438 Bloekom Grove		Δ	+24 685,45	+ 60 297,75	
	418 Kanonkop Suid		Δ	+24 280,37	+ 57 878,01	

Surveyed between
**February 2012
and May 2017**
by me

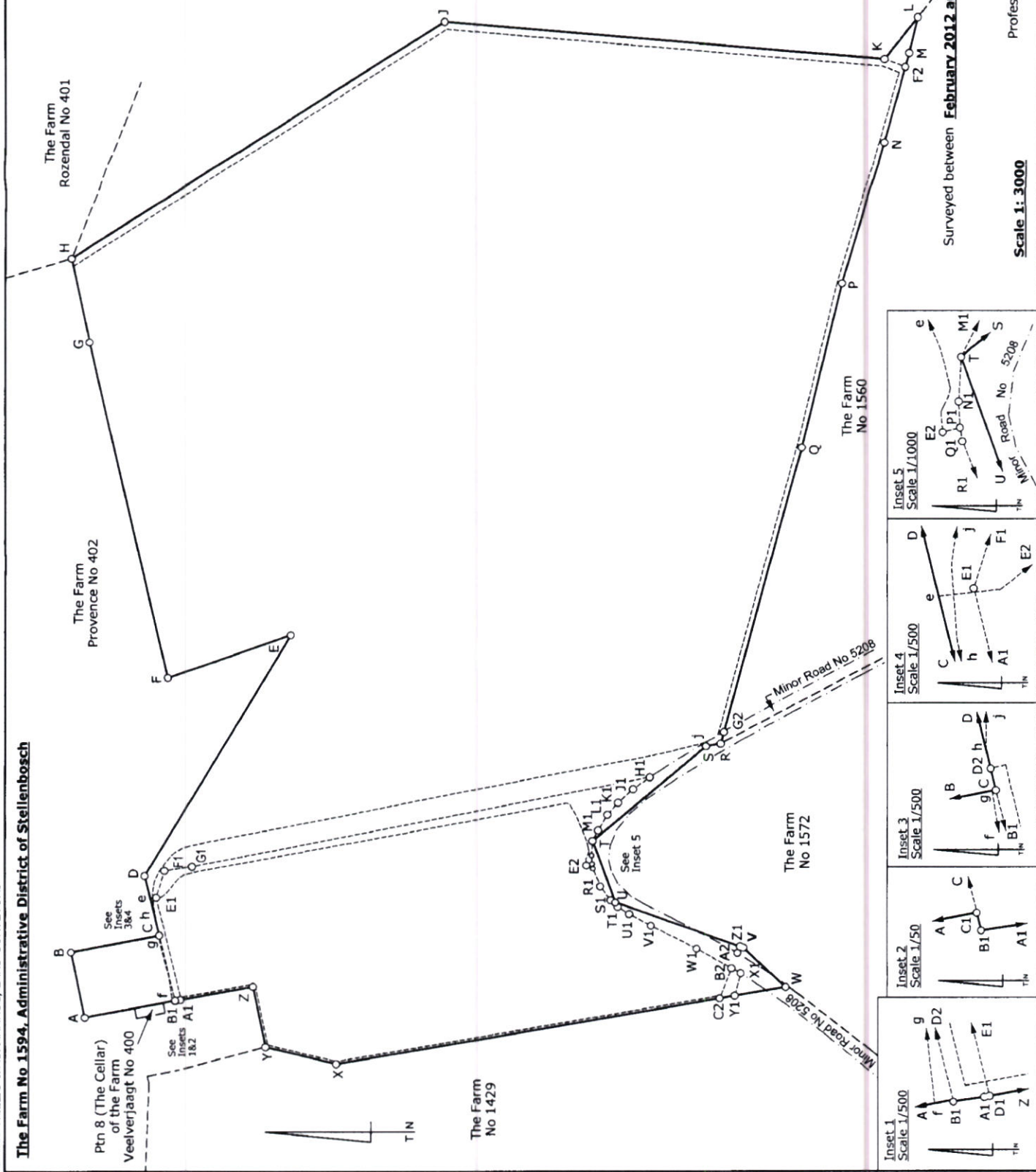
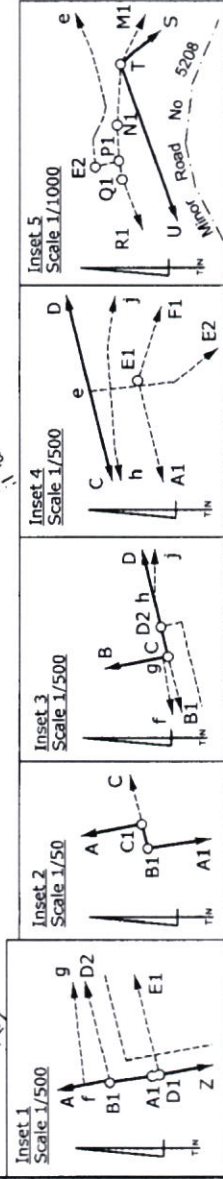

S G DREYER
Professional
Land Surveyor
(PLS1028)

S

S.G. No.
872/2017
Approved
for Surveyor-General
02.06.2017

Sheet No 5 of
5 Sheets

Ptn 19
of the Farm
Providence No 402



Surveyed between February 2012 and May 2017 by me

S.G. Dreyer
S.G. DREYER
Professional Land Surveyor
(PLS1028)

Scale 1:3000

Farm 1594 Stellenbosch

Sect. 24 (b), Act No. 9 of 1927.

No. 6461 /48

22575/60 22584/60

Approved

E. A. B. I.
Surveyor-General.

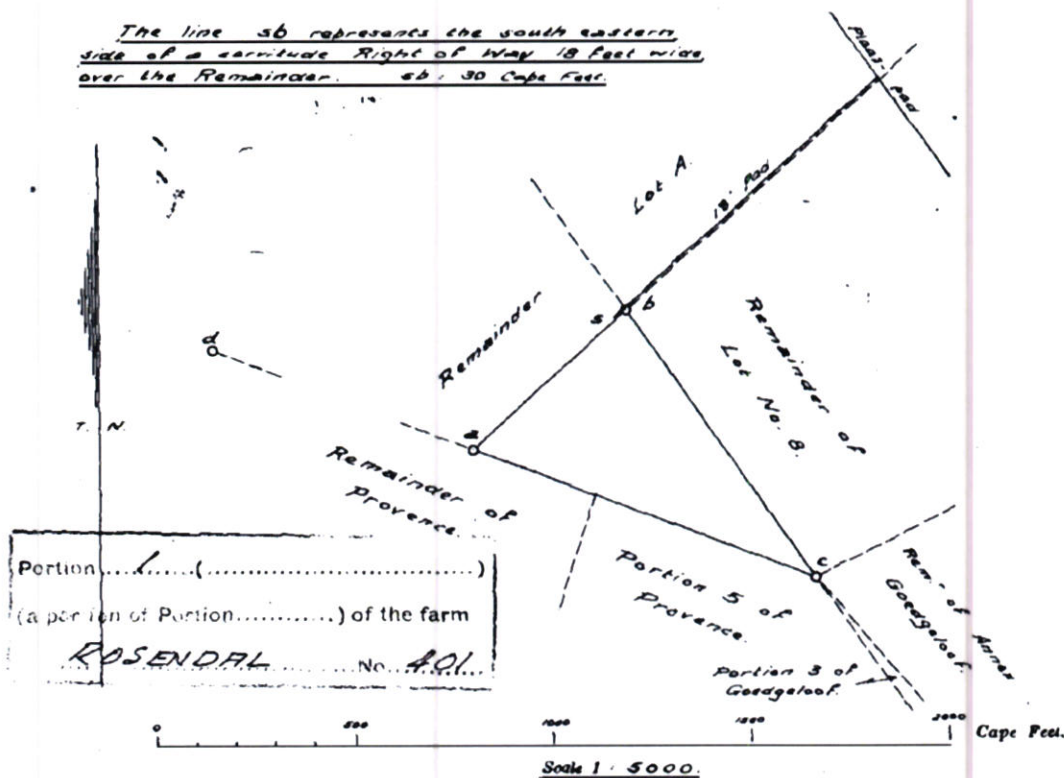
Description of Beacons.

a + b: Fencing standards projecting 6" under cairns of stones. ✓

✓

c : Planted stone projecting 15".

The line 56 represents the south eastern side of a cartilage Right of Way 18 feet wide over the Remainder. 56 = 30 Cape Feet.



The figure

<u>a</u>	<u>b</u>	<u>c</u>
----------	----------	----------

represents 2.5206 Morgen of land being

PORTION 1 of the farm Rozendaal

situate in the Division of Stellenbosch *Province of Cape of Good Hope.*

Surveyed in June 1940 by me

7. Friedländer

Land Surveyor.

This diagram is annexed to D.T.

No. 25476

col. 8. 11 - 48.

The original diagram is

No. 1652/1913 annexed to
1913-129-8583

File No. 5 11689

S.R. No. E. 1502/48

Deg. sh. Br. ~~025~~ ✓
 Stel. Q 2-29

M 3154
M 3188

PN 401/1

A SPOT

Registrar of Deeds.



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Damien Burger
 Damien Burger (Friedlaende, Burger & Volkmann)
 damien@fbvsurvey.co.za
 021 886 4004

09 April 2021

SUBJECT: PRE-APPLICATION SCRUTINY FEEDBACK, FARM 1378/1, FARM 402/19, FARM 1594 & FARM 401/1 STELLENBOSCH DIVISION

1. Your pre-application scrutiny submission on the above property dated **30 March 2021**, refers.
2. Your submission has been duly scrutinized for your intended land use application.
3. Your intended land use application needs to address the following requirements to satisfy the prevailing provisions in the Stellenbosch Land Use Planning Bylaw (2015) [SLUPB] and Stellenbosch Zoning Scheme Bylaw (2019) [SZSB]:

3.1 Please note that you are required to submit a detailed subdivision diagram of the proposed subdivision instead of aerial photo.

4. The intended land use and/ or land development application also needs to fulfil the requirements as stipulated in Section 38 of the SLUPB. The required application documents and related information on any applicable Bylaws, Policies and Spatial Plans are available on the Planning Portal of the Municipal Website.
<https://www.stellenbosch.gov.za/documents/planning-and-building-plans/planning-portal>
5. Please note that the sole purpose of this pre-application scrutiny feedback is to facilitate an accurate approach for the intended land use and/ or land development application. The feedback should consequently not be interpreted to represent any position on the merit nor desirability of such intended land use and/ or land development application, which can only be determined once a complete application has been received and duly processed and decided on by the authorised decision maker.
6. It should also be noted that the complete application should first be submitted without the payment of any applicable application fees. Only when satisfied that a complete and accurate application has been submitted, will a proforma invoice be submitted to the applicant with payment instructions. Once proof of payment is received, the application will be regarded as duly submitted in accordance with a notice as contemplated in terms of Section 41(1)(c)(i) of the SLUPB.
7. For any enquiries on this correspondence please respond by e-mail to the writer hereof.

Kind regards
 Bongiwe Zondo



**agriculture,
forestry & fisheries**

Department:
Agriculture, Forestry and Fisheries
REPUBLIC OF SOUTH AFRICA

Private Bag X120, Pretoria, 0001
Delpen Building, C/o Annie Botha & Union Street, Riviera, 0084

From: Directorate Land Use and Soil Management
Tel: 012-319-7634 Fax: 012-329-5938, Email: Thokob@nda.agric.za
Enquiries: Helpdesk Ref: 2020_01_0072

Friedlaender, Burger & Volkmann
P. O. Box 154
STELLENBOSCH
7599

For attention: D.P. Burger

**APPLICATION IN TERMS OF THE SUBDIVISION OF AGRICULTURAL LAND ACT 70 OF 1970:
PORTION 19 OF FARM NO. 402, PORTION 1 OF FARM NO. 1378 AND FARM NO. 1594,
WESTERN CAPE PROVINCE**

Your letter bearing reference SA401-1 dated 1 December 2019 refers.

With reference to the above-mentioned subject, the Department wishes to inform you that the application has been granted.

Consent No. ~~55182~~..... issued in terms of section 4 of the Act, is enclosed in duplicate.

To facilitate registration, the conveyancer must lodge the signed copy of the consent with the Registrar of Deeds together with the documents for registration.

Yours faithfully

DR I.B. KGAKATSI
ACTING CHIEF DIRECTOR:
NATURAL RESOURCES MANAGEMENT
DELEGATE OF THE MINISTER

DATE: 18/03/2020

CC: The Surveyor-General Private Bag X 9028 CAPE TOWN 8000
CC: Land Use and Soil Management, Private Bag x2, SANLAMHOF, 7532
CC: Mr Brandon Layman Landuse Management Department of Agriculture: Western Cape Private Bag x 1 ELSENBURG 7607



agriculture, forestry & fisheries

Department:
Agriculture, forestry & fisheries
REPUBLIC OF SOUTH AFRICA

VERW/REF.

2020_01_0072

TOESTEMMING

*KRAGTENS DIE WET OP DIE ONDERVERDELING
VAN LANDBOUGGROND, 1970*

CONSENT

*IN TERMS OF THE SUBDIVISION OF
AGRICULTURAL LAND ACT, 1970*

55182

By virtue of the powers delegated to me by the Minister of Agriculture Forestry & Fisheries consent is hereby granted in terms of section 4(2) of the Subdivision of Agricultural Land Act, 1970, for the subdivision of the agricultural land described in paragraph 1, into units indicated in paragraph 2, subject to the conditions set out in paragraph 3.

PARAGRAPH 1: THE AGRICULTURAL LAND TO WHICH THIS CONSENT APPLIES

- 1.1 PORTION 19 OF THE FARM NO. 402, IN EXTENT 36,7543 HECTARES;
- 1.2 PORTION 1 OF THE FARM NO. 1378, IN EXTENT 15,1567 HECTARES; AND
- 1.3 THE FARM NO. 1594, IN EXTENT 38,8266 HECTARES, DIVISION STELLENBOSCH, WESTERN CAPE PROVINCE

PARAGRAPH 2: CONSENT GRANTED

- 2.1 The subdivision of the agricultural land mentioned in subparagraph 1.1 into two portions measuring approximately 2,22 hectares and 34,52 hectares respectively represented by the figure marked Portion B and Rem 19/402 as shown on the sketch plan attached.
- 2.2 The subdivision of the agricultural land mentioned in subparagraph 1.2 into two portions measuring approximately 1,28 hectares and 13,83 hectares respectively represented by the figure marked Portion A and Rem 1/1378 as shown on the sketch plan attached.
- 2.3 The subdivision of the agricultural land mentioned in subparagraph 1.3 into two portions measuring approximately 5,86 hectares and 32,14 hectares respectively represented by the figure marked Portion C and Rem 1594 as shown on the sketch plan attached.

PARAGRAPH 3: CONDITIONS PERTAINING TO THIS CONSENT

- 3.1 Simultaneously with registration of transfer of the portion measuring approximately 34,52 hectares (Rem 19/402) must be consolidated with the portion measuring approximately 5,86 hectares (Ptn C).
- 3.2 Simultaneously with registration of transfer the portion measuring approximately 2,22 hectares (Portion B) must be consolidated with:
 - (i) the portion measuring approximately 1,28 hectares (Ptn A); and
 - (ii) Portion 1 of the farm Rosendal No. 401, in extent 2,1590 hectares, Division Stellenbosch, Western Cape Province.

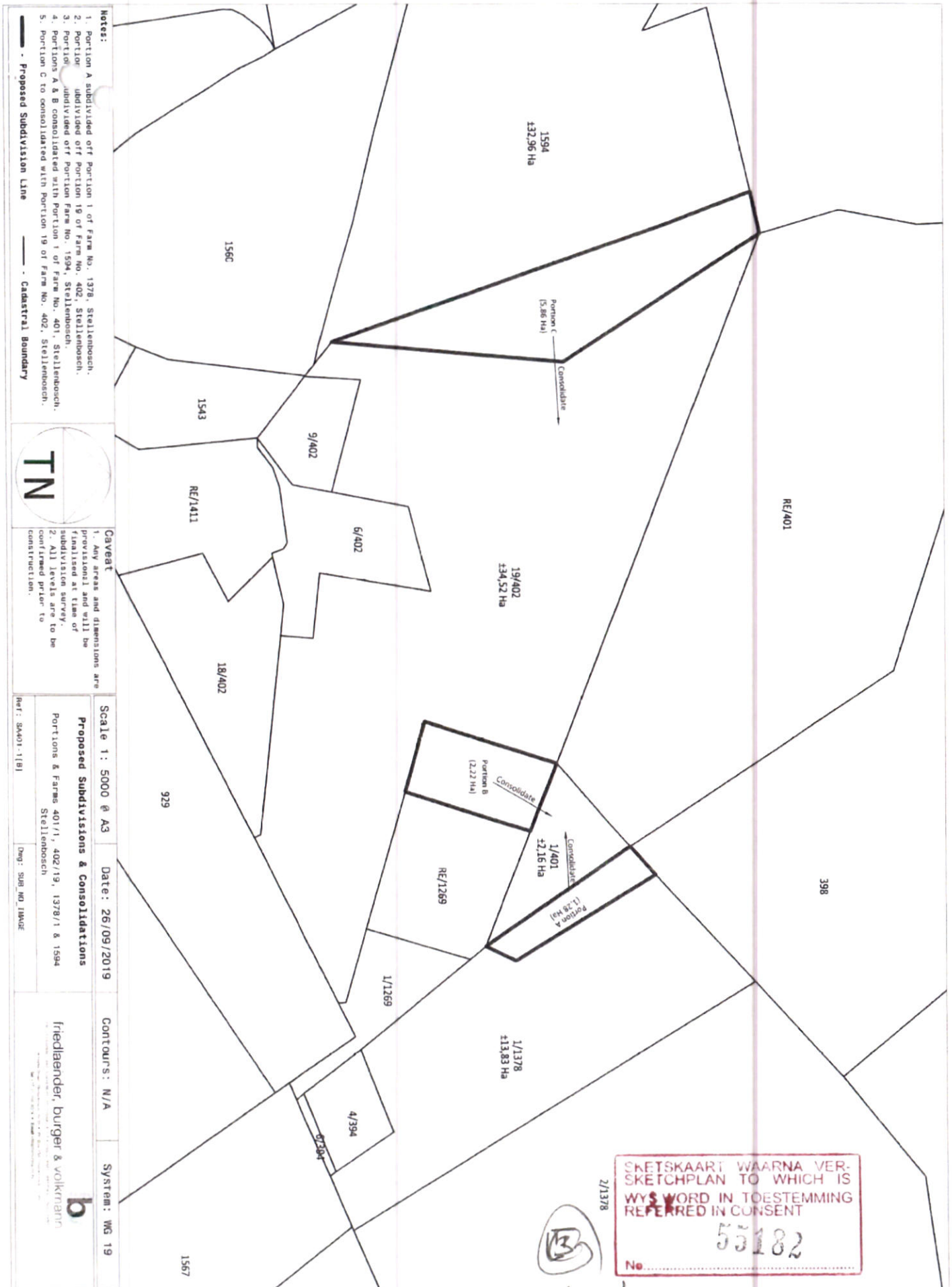
I.B

- 3.3 This consent does not imply that the above-mentioned subdivisions are assured of a permanent water supply.
- 3.4 This consent does not exempt the property from the provisions of any other law and does not purport to interfere with the rights of any person who may have an interest in the agricultural land.
- 3.5 This consent is valid for 5 years from date of this grant. Should it not be registered within the time frame, a new complete application must be lodged which will be considered on its own merits.

18/03/2020
DATE



DR I.B. KGAKATSI
ACTING CHIEF DIRECTOR:
NATURAL RESOURCES MANAGEMENT
DELEGATE OF THE MINISTER





agriculture, forestry & fisheries

Department:
Agriculture, forestry & fisheries
REPUBLIC OF SOUTH AFRICA

VERW/REF.

2020_01_0072

TOESTEMMING

*KRAGTENS DIE WET OP DIE ONDERVERDELING
VAN LANDBOUGROND, 1970*

CONSENT

*IN TERMS OF THE SUBDIVISION OF
AGRICULTURAL LAND ACT, 1970*

55182

By virtue of the powers delegated to me by the Minister of Agriculture Forestry & Fisheries consent is hereby granted in terms of section 4(2) of the Subdivision of Agricultural Land Act, 1970, for the subdivision of the agricultural land described in paragraph 1, into units indicated in paragraph 2, subject to the conditions set out in paragraph 3.

PARAGRAPH 1: THE AGRICULTURAL LAND TO WHICH THIS CONSENT APPLIES

- 1.1 PORTION 19 OF THE FARM NO. 402, IN EXTENT 36,7543 HECTARES;
- 1.2 PORTION 1 OF THE FARM NO. 1378, IN EXTENT 15,1567 HECTARES; AND
- 1.3 THE FARM NO. 1594, IN EXTENT 38,8266 HECTARES, DIVISION STELLENBOSCH, WESTERN CAPE PROVINCE

PARAGRAPH 2: CONSENT GRANTED

- 2.1 The subdivision of the agricultural land mentioned in subparagraph 1.1 into two portions measuring approximately 2,22 hectares and 34,52 hectares respectively represented by the figure marked Portion B and Rem 19/402 as shown on the sketch plan attached.
- 2.2 The subdivision of the agricultural land mentioned in subparagraph 1.2 into two portions measuring approximately 1,28 hectares and 13,83 hectares respectively represented by the figure marked Portion A and Rem 1/1378 as shown on the sketch plan attached.
- 2.3 The subdivision of the agricultural land mentioned in subparagraph 1.3 into two portions measuring approximately 5,86 hectares and 32,14 hectares respectively represented by the figure marked Portion C and Rem 1594 as shown on the sketch plan attached.

PARAGRAPH 3: CONDITIONS PERTAINING TO THIS CONSENT

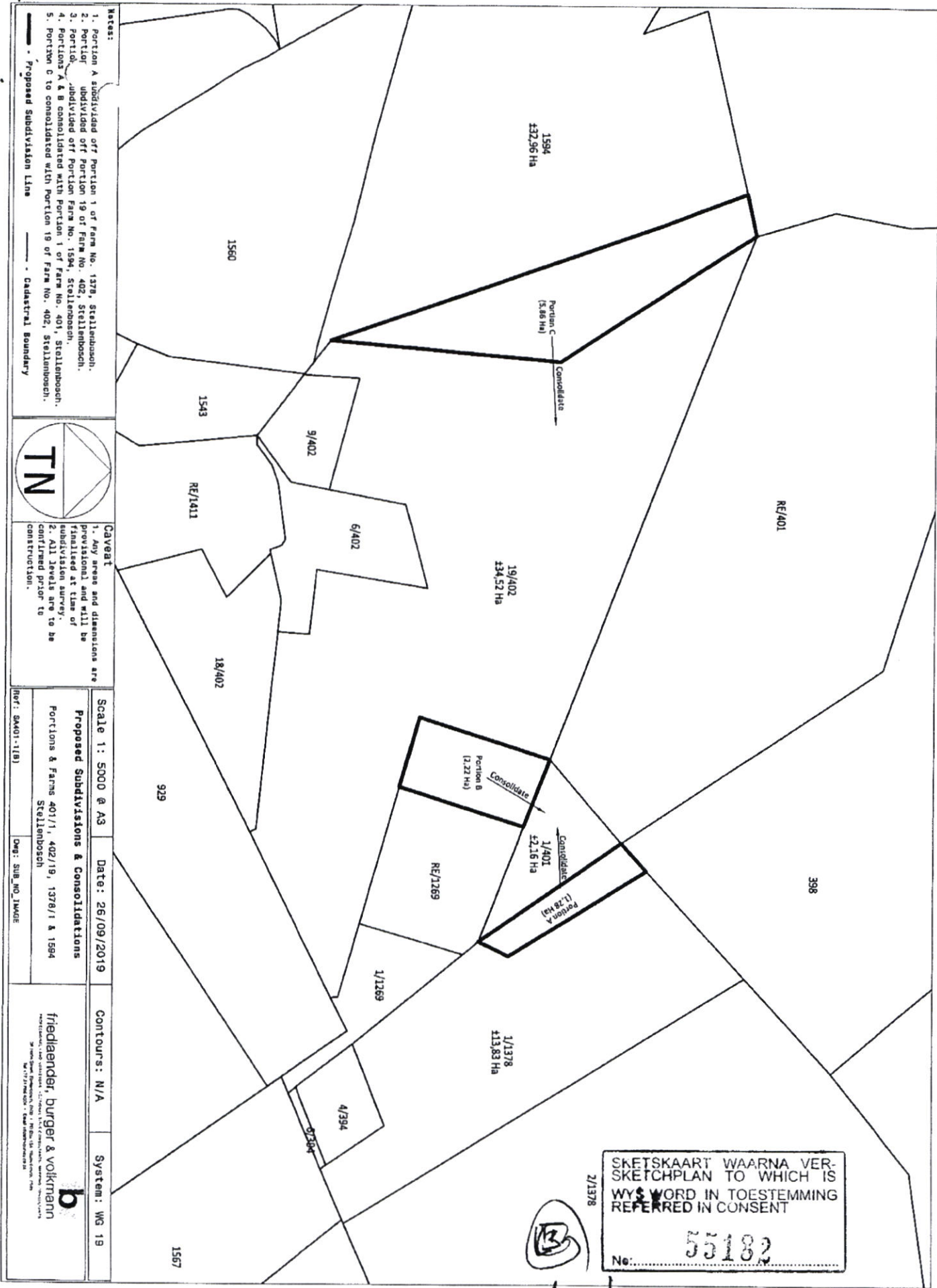
- 3.1 Simultaneously with registration of transfer of the portion measuring approximately 34,52 hectares (Rem 19/402) must be consolidated with the portion measuring approximately 5,86 hectares (Ptn C).
- 3.2 Simultaneously with registration of transfer the portion measuring approximately 2,22 hectares (Portion B) must be consolidated with:
 - (i) the portion measuring approximately 1,28 hectares (Ptn A); and
 - (ii) Portion 1 of the farm Rosendal No. 401, in extent 2,1590 hectares, Division Stellenbosch, Western Cape Province.

- 3.3 This consent does not imply that the above-mentioned subdivisions are assured of a permanent water supply.
- 3.4 This consent does not exempt the property from the provisions of any other law and does not purport to interfere with the rights of any person who may have an interest in the agricultural land.
- 3.5 This consent is valid for 5 years from date of this grant. Should it not be registered within the time frame, a new complete application must be lodged which will be considered on its own merits.

18/03/2020
DATE



DR I.B. KGAKATSI
ACTING CHIEF DIRECTOR:
NATURAL RESOURCES MANAGEMENT
DELEGATE OF THE MINISTER



Notes:

1. Portion A subdivided off Portion 1 of Farm No. 1378, Stellenbosch.
2. Portion B subdivided off Portion 19 of Farm No. 402, Stellenbosch.
3. Portion C subdivided off Portion Farm No. 1594, Stellenbosch.
4. Portions A & B consolidated with Portion 1 of Farm No. 401, Stellenbosch.
5. Portion C to consolidated with Portion 19 of Farm No. 402, Stellenbosch.

----- Proposed Subdivision Line
 ----- Cadastral Boundary



Caveat

1. Any areas and dimensions are provisional, and will be finalised at time of subdivision survey.
 2. All levels are to be confirmed prior to construction.

Scale 1: 5000 @ A3 Date: 26/09/2019

Proposed Subdivisions & Consolidations

Portions & Farms 401/1, 402/19, 1378/1 & 1594 Stellenbosch

Contours: N/A System: WG 19

friedlaender, burger & volkmann

30 Years Land Surveyors - 27 De Vries Street, Stellenbosch, Western Cape, South Africa
 Tel: 021 885 0000 Fax: 021 885 0001

SKETSKAART WAARNA VER-SKETCHPLAN TO WHICH IS WY\$ WORD IN TOESTEMMING REFERRED IN CONSENT

13

No: 55182

18/03/2020



friedlaender, burger & volkmann

PROFESSIONAL LAND SURVEYORS. SECTIONAL TITLE CONSULTANTS. MAPPING CONSULTANTS

39 Herte Str, Stellenbosch, 7600
PO Box 154, Stellenbosch, 7599



+27 21 8864004



+27 21 8878088



info@fbvsurvey.co.za



www.fbvsurvey.co.za

Our ref: SA401-1

25/10/2021

The Municipal Manager

Landuse.Enquiries@ Stellenbosch.gov.za

Dear Sir

**APPLICATION IN TERMS OF SECTION 15(2)(d) and 15(2)(e) – PLANNING BY-LAW :
PORTION 19 FARM NO 402, PORTION 1 OF FARM NO. 1378, FARM NO 1594 AND
PORTION 1 OF FARM NO. 401 -STELLENBOSCH**

Please find herewith our application and supporting documents in the above matter.

This application has been submitted electronically, negating the requirement for five copies as per checklist.

We have added a black and white copy of the subdivision plan for endorsement purposes.

Please contact our office if further information is required.

Yours sincerely

D.P. Burger

pp. Friedlaender, Burger and Volkmann



Date _____



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

LAND USE PLANNING APPLICATION FORM 2017

(Section 15 of the Stellenbosch Municipal Land Use Planning By-Law (2015) and other relevant legislation)

KINDLY NOTE: Please complete this form using BLOCK letters and ticking the appropriate boxes.

PART A: APPLICANT DETAILS

First name(s)	Damien				
Surname	Burger				
Company name (if applicable)	Friedlaender, Burger and Volkmann				
Postal Address	P.O. Box 154, Stellenbosch				
		Postal Code	7599		
Email	damien@fbvsurvey.co.za				
Tel	+27 21 8864004	Fax	+27 21 8878088	Cell	+27 83 454 3467

PART B: REGISTERED OWNER(S) DETAILS (If different from applicant)

Registered owner(s)	1. JR Farming Trust 3. Farm No. 1594		2. Agriculture Marketing (Pty) Ltd 4. De Voetboeg Trust		
Physical address	Polkadraai Road				
	Stellenbosch			Postal code	
E-mail	cdk@lor.co.za				
Tel	0832682818	Fax		Cell	0832682818

PART C: PROPERTY DETAILS (in accordance with title deed)

1. Ptn 19 Farm No. 402 2. Ptn 1 Farm No. 1378 3. Farm No. 1594 4. Ptn 1 Farm No. 401			Allotment area	Stellenbosch	
Physical Address	off Polkadraai Road				
	Stellenbosch				
Current Zoning	Agriculture & Rural	Extent	1. 36ha 2. 15ha 3. 39ha 4. 2ha	Are there buildings?	existing ☒ N

Applicable Zoning Scheme	Stellenbosch Municipality									
Current Land Use	Agricultural									
Title Deed number and date	T		1. T16033/2009 - 2. T9443/2011 - 3. T56022/2017 - 4. T36691/2014.							
Attached Conveyance's Certificate	Y	X	Any Restrictions into the Attached Conveyance's Certificate? If yes, please list condition(s) as per certificate							
Are the restrictive conditions in favour of a third party(ies)?	Y	X	If Yes, list the party(ies):							
Is the property encumbered by a bond?	X		If Yes, list the bondholder(s):							
Is the property owned by Council?	Y	X	If Yes, kindly <u>attach a power of attorney</u> from the Manager Property Management SEE 4.6 OF MOTIVATION REPORT							
Is the building located within the historical core?	Y	X	Is the building older than 60 years?	Y	X	Is the application triggered by the National Heritage Resources Act, 1999 (Act 25 of 1999) ¹	Y	X	If Yes, kindly indicate which section are triggered and attached the relevant permit if applicable.	
Any existing unauthorized buildings and/or land use on the subject property(ies)?			Y	X	If yes, is this application to legalize the building / land use ² ?			Y	N	
Are there any pending court case(s) / order(s) relating to the subject property(ies)?			Y	X	Are there any land claim(s) registered on the subject property(ies)?			Y	X	
PART D: PRE-APPLICATION CONSULTATION										
Has there been any pre-application consultation?			Y	X	If Yes, please attach the minutes of the pre-application consultation.					
PART E: LAND USE PLANNING APPLICATIONS AND APPLICATION FEES PAYABLE										
APPLICATIONS IN TERMS OF SECTION 15 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW (2015)										
Tick	Type of application: <i>Cost are obtainable from the Council Approved tariffs³</i>									
	15(2)(a) Rezoning of Land									
	15(2)(b) a permanent departure from the development parameters of the zoning scheme									
	15(2)(c) a departure granted on a temporary basis to utilise land for a purpose not permitted in terms of the primary rights of the zoning applicable to the land;									
X	15(2)(d) a subdivision of land that is not exempted in terms of section 24, including the registration of a servitude or lease agreement;									
X	15(2)(e) a consolidation of land that is not exempted in terms of section 24;									

¹ All applications triggered by section 38(1)(a)-(e) in terms of the National Heritage Resources Act, 1999 (Act 25 of 1999) may not be processed without a permit issued by the relevant department

² No application may be submitted to legalize unauthorised building work and or land use on the property if a notice have been served in terms of Section 87(2)(a), and until such time a Section 91 Compliance Certificate have been issued in terms of the Stellenbosch Land Use Planning By-law (2015)

³ <http://www.stellenbosch.gov.za/documents/ldp-budget/2017-2/4873-appendix-3-tariff-book-2017-2018/file>

15(2)(f) a removal, suspension or amendment of restrictive conditions in respect of a land unit;
15(2)(g) a permission required in terms of the zoning scheme;
15(2)(h) an amendment, deletion or imposition of conditions in respect of an existing approval;
15(2)(i) an extension of the validity period of an approval
15(2)(j) an approval of an overlay zone as contemplated in the zoning scheme;
15(2)(k) an amendment or cancellation of an approved subdivision plan or part thereof, including a general plan or diagram ;
15(2)(l) a permission required in terms of a condition of approval;
15(2)(m) a determination of a zoning;
15(2)(n) a closure of a public place or part thereof;
15(2)(o) a consent use contemplated in the zoning scheme;
15(2)(p) an occasional use of land;
15(2)(q) to disestablish a home owner's association
15(2)(r) to rectify a failure by a home owner's association to meet its obligations in respect of the control over or maintenance of services;
15(2)(s) a permission required for the reconstruction of an existing building that constitutes a non-conforming use that is destroyed or damaged to the extent that it is necessary to demolish a substantial part of the building.
15(2)(6) When the Municipality on its own initiative intends to conduct land development or an activity
15(2)(l) Amendment of Site Development Plan
15(2)(l) Compilation / Establishment of a Home Owners Association Constitution / Design Guidelines

OTHER APPLICATIONS

Deviation from Council Policies/By-laws;	R
Other (specify) : _____	R
TOTAL A:	R

PRESCRIBED NOTICE AND FEES (for completion and use by official)**

Tick	Notification of application in media	Type of application	Cost
	SERVING OF NOTICES	Delivering by hand; registered post; data messages	R
	PUBLICATION OF NOTICES	Local Newspaper(s); <i>Provincial Gazette</i> ; site notice; Municipality's website	R
	ADDITIONAL PUBLICATION OF NOTICES	Site notice, public meeting, local radio station, Municipality's website, letters of consent or objection	R
	NOTICE OF DECISION	<i>Provincial Gazette</i>	R
	INTEGRATED PROCEDURES	T.B.C	R
TOTAL B:			R
TOTAL APPLICATION FEES*			R
(TOTAL A + B)			R

* Application fees that are paid to the Municipality are non-refundable and proof of payment of the application fees must accompany an application.

** The applicant is liable for the cost of publishing and serving notice of an application. Additional fees may become applicable and the applicant will be informed accordingly.

BANKING DETAILS

Name: Stellenbosch Municipality
 Bank: NEDBANK
 Branch no.: 198765
 Account no.: 1152271679
 SWIFT: NEDSZAJJ
 Payment reference:
 (Erf/Farm number)

DETAILS FOR INVOICE

Name & Surname/Company name (details of party responsible for payment)	Friedlaender, Burger and Volkmann
Postal Address	P.O. Box 154, Stellenbosch, 7599
Vat Number (where applicable)	4130103692

PART F: DETAILS OF PROPOSAL

PART 1: DETAILS OF PROPOSAL							
Building line encroachment	Street		From	m	To	m	
	Street		From	m	To	m	
	Side		From	m	To	m	
	Side		From	m	To	m	
	Aggregate side		From	m	To	m	
	Rear		From	m	To	m	
Exceeding permissible site coverage		From	%	To	%		
Exceeding maximum permitted bulk / floor factor / no of habitable rooms		From		To			
Exceeding height restriction		From	m	To	m		
Exceeding maximum storey height		From	m	To	m		
Consent/Conditional Use/Special Development							
To permit..... in terms of Section.....of the.....Zoning Scheme Regulations							
Other (please specify)	<div>Application in terms of sections 15(2)(d) & 15(2)(e)</div>						

Brief description of proposed development / intent of application:

[illegible]

PART G: ATTACHMENTS AND SUPPORTING INFORMATION AND DOCUMENTATION FOR LAND USE PLANNING APPLICATION

Complete the following checklist and attach all the information and documentation relevant to the proposal. Failure to submit all information and documentation required will result in the application being deemed incomplete.

Information and documentation required

☒	N	Power of attorney / Owner's consent if applicant is not owner	Y	☒	Bondholder's consent (if applicable)
☒	N	Resolution or other proof that applicant is authorised to act on behalf of a juristic person	Y	☒	Proof of any other relevant right held in the land concerned
☒	N	Written motivation pertaining to the need and desirability of the proposal	☒	N	S.G. diagram / General plan extract (A4 or A3 only)
☒	N	Locality plan (A4 or A3 only) to scale	Y	☒	Site development plan or conceptual layout plan (A4 or A3 only) to scale
☒	N	Proposed subdivision plan (A4 or A3 only) to scale	Y	☒	Proof of agreement or permission for required servitude
Y	☒	Proof of payment of application fees	☒	N	Proof of registered ownership (Full copy of the title deed)
	☒	Conveyancer's certificate See Motivation	Y	N	Minutes of pre-application consultation meeting (if applicable)
☒	N	N/A Consolidation plan (A4 or A3 only) to scale	Y	N	☒ Land use plan / Zoning plan (A4 or A3 only) to scale
Y	N	☒ Street name and numbering plan (A4 or A3 only) to scale	Y	N	☒ 1 : 50 / 1:100 Flood line determination (plan / report) (A4 or A3 only) to scale
Y	N	☒ Landscaping / Tree plan (A4 or A3 only) to scale	Y	N	☒ Home Owners' Association consent
Y	N	☒ Abutting owner's consent	Y	N	☒ Services Report or indication of all municipal services / registered servitudes
Y	N	☒ Copy of Environmental Impact Assessment (EIA) / Heritage Impact Assessment (HIA) / Traffic Impact Assessment (TIA) / Traffic Impact Statement (TIS) / Major Hazard Impact Assessment (MHIA) / Environmental Authorisation (EA) / Record of Decision (ROD)	Y	N	☒ Proof of failure of Home owner's association
Y	N	☒ Copy of original approval and conditions of approval	Y	N	☒ Any additional documents or information required as listed in the pre-application consultation form / minutes
Y	N	☒ Proof of lawful use right	Y	N	☒ Other (specify)
☒	N	N/A Required number of documentation copies	Y	N	☒

PART H: AUTHORISATION(S) SUBJECT TO OR BEING CONSIDERED IN TERMS OF OTHER LEGISLATION

Y	☒	If required, has application for EIA / HIA / TIA / TIS / MHIA approval been made? If yes, attach documents / plans / proof of submission etc.	Specific Environmental Management Act(s) (SEMA) (e.g. Environmental Conservation Act, 1989 (Act 73 of 1989))		
			Y	☒	National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004)
☒	N/A	Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)	Y	☒	National Environmental Management: Waste Act, 2008 (Act 59 of 2008)
Y	☒	Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)(SPLUMA)	Y	☒	National Water Act, 1998 (Act 36 of 1998)
Y	☒	Occupational Health and Safety Act, 1993 (Act 85 of 1993): Major Hazard Installations Regulations	Y	☒	Other (specify)
Y	☒	Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)			
Y	☒	Do you want to follow an integrated application procedure in terms of section 44(1) of the Stellenbosch Municipality Land Use Planning By-Law? If yes, please attach motivation.			

SECTION I: DECLARATION

I hereby wish to confirm the following :

1. That the information contained in this application form and accompanying documentation is complete and correct.
2. I'm aware that it is an offense in terms of section 86(1)(e) to supply particulars, information or answers knowing the particulars, information or answers to be false, incorrect or misleading or not believing them to be correct.
3. I am properly authorized to make this application on behalf of the owner and that a copy of the relevant power of attorney or consent is attached hereto.
4. Where an agent is appointed to submit this application on the owner's behalf, it is accepted that correspondence from and notifications by the Municipality in terms of the by-law will be sent only to the agent and that the owner will regularly consult with the agent in this regard.
5. I confirm that the relevant title deed(s) have been read and that there are no restrictive title deed restrictions, which impact on this application, or alternatively an application for removal/suspension or amendment forms part of this submission.
6. I confirm that I have made known all information relating to possible Land / Restitution Claims against the application property.
7. It is the owner's responsibility to ensure that approval is not sought for a building or land use which will be in conflict with any applicable law.
8. The Municipality assesses an application on the information submitted and declarations made by the owner or on his behalf on the basis that it accepts the information so submitted and declarations so made to be correct, true and accurate.
9. Approval granted by the Municipality on information or declarations that are incorrect, false or misleading may be liable to be declared invalid and set aside which may render any building or development pursuant thereto illegal.
10. The Municipality will not be liable to the owner for any economic loss suffered in consequence of approval granted on incorrect, false or misleading information or declarations being set aside.
11. Information and declarations include any information submitted or declarations made on behalf of the owner by a Competent Person/professional person including such information submitted or

declarations made as to his or her qualification as a Competent person and/or registration as a professional.

12. A person who provides any information or certificate required in terms of Regulation A19 of the National Building Regulations and Building Standards Act No 103 of 1977 which he or she knows to be incomplete or false shall be guilty of an offence and shall be prosecuted accordingly.
13. A person who supplies particulars, information or answers in a land use application in terms of the Stellenbosch Municipality Land Use Planning By-law knowing it to be incorrect, false or misleading or not believing them to be correct shall be guilty of an offence and shall be prosecuted accordingly.
14. The Municipality will refer a complaint to the professional council or similar body with whom a Competent Person/professional person is registered in the event that it has reason to believe that information submitted or declaration/s made by such Competent Person/professional person is incorrect, false or misleading.

Applicant's signature:

DBurger

Date:

25/10/2021

Full name:

Damien Pieter Burger

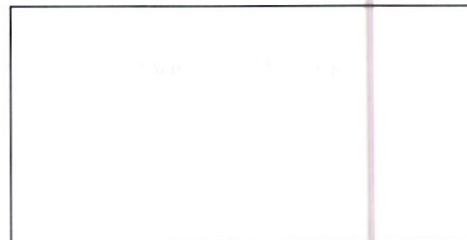
Professional capacity:

Pr. Land Surveyor

FOR OFFICE USE ONLY

Date received: _____

Received By: _____



Proposed Subdivisions

**Portion 19 Farm No. 402
Portion 1 of Farm No. 1378
and
Farm No. 1594**

and Consolidation with

**Portion 1 of Farm No.401
and
Remainder Portion 19 of Farm No. 402**

Western Cape Province

Prepared by

Friedlander, Burger and Volkmann
39 Herte Street, Stellenbosch, 7600 | P.O. Box 154, Stellenbosch, 7599
Tel +27 21 8864004 Fax +27 21 8878088 Email info@fbvsurvey.co.za

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1 Proposal

Acting on behalf of the owners of Portion 1 of Farm No. 401, Portion 19 of farm No. 402 , Portion 1 of Farm No. 1378 and Farm No. 1594 ; Stellenbosch ("the properties") we propose to adjust the boundary of Portion 19 of Farm No. 402 and consolidation two portions of land with Portion 1 of Farm No. 401. A locality plan is provided as **Annexure 1** and a plan of proposed subdivision as **Annexure 2**.

In terms of Section 15(2)(d) and 15(2)(e) of the Stellenbosch Municipality Planning Land Use Planning By-Law, application is therefore made for the

- i. Subdivision of Portion A, in extent $\pm 1,28$ Ha of Portion 1 of Farm No. 1378 Stellenbosch leaving a remainder of $\pm 13,83$,
- ii. Subdivision of Portion B, in extent $\pm 2,22$ Ha of Portion 19 of Farm No. 402 Stellenbosch leaving a remainder of $\pm 34,52$
- iii. Subdivision of Portion C, in extent $\pm 5,86$ Ha of Farm No. 1594 Stellenbosch leaving a remainder of $\pm 32,96$, and
- iv. Consolidation of Portion A and B with Portion 1 of Farm No. 401
- v. Consolidation of Portion C with Remainder of Portion 19 of Farm No. 402

2 Pre Application Scrutiny Feedback

The pre-application scrutiny feedback is attached as **Annexure 19**

3 Authority to apply

The properties are owned by:

Portion 1 of Farm No. 1378 – Agriculture Marketing (Pty) Ltd

Portion 19 of Farm No. 402 - JR Farming Trust

Farm No. 1594 - Reynecke Wines Properties (Pty) Ltd

Portion 1 of Farm No. 401 - De Voetberg Trust

The title deeds are attached as **Annexures 3, 4, 5 and 6**

The powers of attorney authorising the applicants are attached as **Annexure 7, 8, 9 and 10** and a resolution authorising the signatory of the powers of attorney are attached as **Annexure 11, 12, 13 and 14**

4 The Farms

4.1 Description

The properties are situated along the old Polkadraai Road in an area comprising of smallholdings and larger wines farms.

Portion 1 of Farm No. 1378 Stellenbosch – measuring 15,1567 ha

Portion 19 of Farm No. 402 Stellenbosch – measuring 36,7543 ha

Farm No. 1594 Stellenbosch – measuring 38,8266 ha

Portion 1 of Farm No. 401– measuring 2,1590 ha

The diagrams are attached as **Annexures 15, 16, 17 and 18**

4.2 Current use and zoning

The properties are all zoned Agriculture and Rural

Farm 1594 - an existing wine farm comprising of 30ha of existing vineyard with an additional 7ha of potential vineyard (re planting)

Portion 19 of Farm No. 402 - an existing wine farm specialising in biodynamic winemaking that links the vineyards with vegetable gardens and animal husbandry

Portion 1 Farm No. 1378 – a small holding with 3ha vineyard, 7 ha of paddock and equestrian activities

Portion 1 Farm No. 401 – a smallholding with no real agricultural activities.

In summary, two wine farms, an equestrian estate and a smallholding.

4.3 Access

All the farms gain access from the Polkadraai Main Road and there will be no change to any of the existing access points

4.4 Services

There are no municipal services connected to the property.

4.5 Water Rights

All the properties are members of the Wynland Water Users Association.

There is no envisaged major change to any of the existing water rights and after the adjustment of boundaries all the properties will continue to utilise their existing rights.

PORTION 1 OF FARM NO. 401	2 ha A
PORTION 1 OF FARM NO. 1378	7 ha A
PORTION 19 OF FARM NO. 402	14 ha A
FARM NO. 1594	14ha A (to be confirmed)

4.6 Restrictive Title Conditions

All the properties are parts of farms that have previously been subdivided confirming that there are no restrictive condition related to subdivision. A conveyancer Certificate has not been included but can be provided if requested.

5 Reason for the proposal

The smallholding on Portion 1 Farm No 401 is looking to increase the agricultural activities on the property and would like to acquire as much land around the property to preserve the existing vineyards without influencing the agricultural potential of the surrounding properties.

This has triggered a series of proposed land transactions that ultimately lead to a better utilisation of all the land from an agricultural perspective.

6 Motivation

6.1 Subdivision – Consent in terms of Act 70/1970

The competent authority dealing with the subdivision of Agricultural Land in terms of Act 70 of 1970 has issued the consent, attached as **Annexure 20**

In issuing the consent for subdivision the Department is satisfied that application has met the conditions required for the subdivision of agricultural land

Conditions pertaining to this consent stipulate that all the subdivisions must be consolidated with the adjoining properties.

6.2 Subdivision & consolidation

Portion 1 of Farm No. 1378 is an equestrian estate with 3ha of vineyards. They would like to continue to concentrate on equestrian activities and are prepared to release the 1.28ha of existing vineyards and expand the equestrian activities into the remainder of the vineyard block. This will have no significant negative impact to local agriculture as the farm is well below the DAFF guidelines for an economic unit.

Portion 19 of Farm No. 402 is well known for its biodynamic winemaking. They would like to include one of the existing vineyard blocks from Farm No. 1594 to complement the existing vineyards in line with the future planning for the estate. In order to finance the transaction and without negatively impacting on their vineyards and the existing production, they are prepared to release 2.22 ha of existing vineyards.

No additional land unit is created and the application is a general adjustment of boundaries that has no or little impact on the properties that are giving off land.

Farm No. 1594 releases 5,86ha of land of which only 3 hectares is currently planted. The loss of this vineyard block will not influence the rest of the farm as the Remaining extent is still 33 ha mainly of existing vineyards

Portion 19 releases 2.22 ha, but gains 5.86ha of land, better suited to the future development of the farm and complimentary to the existing vineyards.

Portion 1 of Farm 1378 releases 1.28ha that does not affect the requirements as an equestrian estate.

Portion 1 of Farm No. 401 increases in size with 3.5ha of vineyard. It also puts the property in a better position to negotiate with farm No. 1269 should it become available, to form a more productive smallholding.

6.3 Principles of IDP & Municipal SDF

There is no fragmentation of agricultural land as no additional property is created with the implementation of the consolidation condition contained in the Act 70/1970 approval

The application is in line with the principles of both the IDP and SDF.

There is no negative impact on the natural environment, cultural heritage or transport as a result of the subdivision and consolidation.

There is no new development or change in land use or zoning as a result of the subdivision and consolidation.

6.4 Summary

No reason for refusal of the application is apparent.

7 List of Annexures

Annexure 1	Locality Plan
Annexure 2	Subdivision Plan
Annexure 3	Title Deed of Farm No. 1378/1
Annexure 4	Title Deed of Farm No. 402/19
Annexure 5	Title Deed of Farm No. 1594
Annexure 6	Title Deed of Farm No. 401/1
Annexure 7	POA Agriculture Marketing (Pty) Ltd
Annexure 8	POA JR Farming Trust
Annexure 9	POA Reynecke Wines Properties (Pty) Ltd
Annexure 10	POA De Voetberg Trust
Annexure 11	Authorisation Agriculture Marketing (Pty) Ltd
annexure 12	Authorisation JR Farming Trust
Annexure 13	Authorisation Reynecke Wines Properties (Pty) Ltd
Annexure 14	Authorisation De Voetberg Trust
Annexure 15	Diagram Portion 1 of Farm No. 1378
Annexure 16	Diagram Portion 19 of Farm No. 402
Annexure 17	Diagram Farm No. 1594
Annexure 18	Diagram Portion 1 of Farm No. 401
Annexure 19	Pre Consultation Feedback
Annexure 20	Act 70/1970 Approval



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