
CONVEYANCER CERTIFICATE

I, **TANIA VOLSCHENK**

Conveyancer practising at Werksmans Inc, Stellenbosch, do hereby certify that:–

- A. CLOS CABRIERE LTD** (Registration Number 1982/008929/07) is the registered owner of the following property:

ERF 1466 FRANSCHHOEK

In the Municipality of Stellenbosch
Division Paarl, Western Cape Province

In Extent 9,8306 Hectares

Held by Certificate of Consolidated Title Number T55813/1996

(the "Property")

1. The following encumbrances are registered against the title deed of the Property that may impact on the use and development of the proposed Franschhoek Cableway Project on specific portions of the Property:
 - 1.1 General minerals clause reserving rights to gold, silver, platinum or precious stones for the Government (Condition I.A.3 & Condition II.A.3).

Conditions in respect of mineral rights are not relevant by virtue of the Mining Titles Registration Amendment Act 24 of 2003.
 - 1.2 General right of way from and to the adjoining State land over the whole of the Property is reserved in favour of the State (Condition 1.A.6).
 - 1.3 Servitude of water and pipeline in favour of Erf 59 (a portion of Erf 23), which said pipeline is indicated by the lines K.c.j.l.m.n.o.p.q on SG Diagram 1877/1966 (Condition I.B & Condition II.B).
 - 1.4 By virtue of Notarial Deed of Servitude No K720/1992 the Property is subject to a servitude right of way 1 meter wide indicated by the figure A B C on SG Diagram 3778/1991 in favour of Remainder Farm 1447 and Remainder Farm 1113 (Condition I.C).



It is unlikely that the above servitudes will negatively impact the proposed Franschhoek Cableway Project if the servitudes are taken into consideration in the planning of the proposed Project.

- 1.5 Subject to the following special conditions in favour of the Municipality of Franschhoek (Condition I.D):
- 1.5.1 That the said Property be used by the purchaser (hereinafter referred to as the "owner") for the erection and utilisation of buildings, structures, etc. relating to proposed agricultural purposes and for no other purpose.
 - 1.5.2 The owner of the Property may not sublet the use of such Property or any building thereon without the written approval of Council.
 - 1.5.3 After erection of any building, etc. relating to the proposed purpose, the owner must lay out the portion of the land not built on in accordance with a plan submitted to and approved by the council and the owner must maintain such layout to the satisfaction of the council.
 - 1.5.4 No buildings, fences or other structures may be erected on the said property except at the levels approved by the Council.
 - 1.5.5 In addition to the compliance with the requirements of the Council's Building Regulations which shall be in force during the erection the owner is bound by the policy laid down by the Council with regard to the design, structure and height of buildings.
 - 1.5.6 Should the owner at any time cease to use the land for agricultural purposes, the Property will revert to the Council on payment of the purchase price stipulated in this contract to the owner, without payment of compensation of any kind whatsoever for any improvements effected by the Owner
 - 1.5.7 The parties furthermore agree that the Council shall be entitled to erect such installations as may be necessary for the abstraction of water from such place on the area of 30 square metres. The Council shall further be entitled to lay water pipelines over the Property for the conveyance of water from such area to any other point or points which the Council may consider necessary. For such purposes the Council shall be entitled to a water conduction servitude area of 3 metres wide. The Council shall be entitled to register such servitude for the abstraction or conduction of water against the Property.
 - 1.5.8 Any cultivation must be done on the natural slope and the construction of terraces for cultivation purposes is forbidden. The Council is however prepared to consider an access road to the cultivated area upon submission of a plan in including the proposed route.



The proposed Franschhoek Cableway Project may not be considered a primary agricultural use as intended by the above title deed conditions. It might be prudent to remove or amend the title deed conditions simultaneously with the consent use application to void rejection by the Deeds Office when registering any servitudes.

- 1.6 Subject to a servitude right of way 3 meters wide in favour of Erf 20, which servitude is depicted by the line a b on Diagram SG No 357/1986 (Condition II.B).
- 1.7 Mortgage bond B57238/1994 to the value of R2,1600,000.00 and mortgage bond B28955/2009 to the value of R10,000,000.00 are registered over the Property in favour of Standard Bank.

Note that the mortgagor's consent must be obtained prior to registering a servitude over the Property or the bon must be cancelled in the event that the Property is to be transferred.

- B. MONTMARTRE CHALETS PTY LTD** (Registration Number 2016/125679/07) is the registered owner of the following property:

ERF 1467 FRANSCHHOEK

In the Municipality of Stellenbosch
Division Paarl, Western Cape Province

Measuring: 15,6308 Hectares

Held by Deed of Transfer Number T12953/2017

(the "Property")

1. The following encumbrances are registered against the title deed of the Property that may impact on the use and development of the proposed Franschhoek Cableway Project on specific portions of the Property:
 - 1.1 General right of way from and to the adjoining State land over the whole of the Property is reserved in favour of the State (Condition 1.A.6).
 - 1.2 Servitude of water and pipeline in favour of Erf 59 (a portion of Erf 23), which said pipeline is indicated by the lines K.c.j.l.m.n.o.p.q on SG Diagram 1877/1966 (Condition I.B).
 - 1.3 By virtue of Notarial Deed of Servitude No K720/1992 the Property is subject to a servitude right of way 1 meter wide indicated by the figure A B C on SG Diagram 3778/1991 in favour of Remainder Farm 1447 and Remainder Farm 1113 (Condition I.C).



It is unlikely that the above servitudes will negatively impact the proposed Franschhoek Cableway Project if the servitudes are taken into consideration in the planning of the proposed Project.

- 1.4 Subject to the following special conditions in favour of the Municipality of Franschhoek (Condition I.D):
- 1.4.1 That the said Property be used by the purchaser (hereinafter referred to as the "owner") for the erection and utilisation of buildings, structures, etc. relating to proposed agricultural purposes and for not other purpose.
 - 1.4.2 The owner of the Property may not sublet the use of such Property or any building thereon without the written approval of Council.
 - 1.4.3 After erection of any building, etc. relating to the proposed purpose, the owner must lay out the portion of the land not built on in accordance with a plan submitted to and approved by the council and the owner must maintain such layout to the satisfaction of the council.
 - 1.4.4 No buildings, fences or other structures may be erected on the said property except at the levels approved by the Council.
 - 1.4.5 In addition to the compliance with the requirements of the Council's Building Regulations which shall be in force during the erection the owner is bound by the policy laid down by the Council with regard to the design, structure and height of buildings.
 - 1.4.6 Should the owner at any time cease to use the land for agricultural purposes, the Property will revert to the Council on payment of the purchase price stipulated in this contract to the owner, without payment of compensation of any kind whatsoever for any improvements effected by the Owner
 - 1.4.7 The parties furthermore agree that the Council shall be entitled to erect such installations as may be necessary for the abstraction of water from such place on the area of 30 square metres. The Council shall further be entitled to lay water pipelines over the Property for the conveyance of water from such area to any other point or points which the Council may consider necessary. For such purposes the Council shall be entitled to a water conduction servitude area of 3 metres wide. The Council shall be entitled to register such servitude for the abstraction or conduction of water against the Property.
 - 1.4.8 Any cultivation must be done on the natural slope and the construction of terraces for cultivation purposes is forbidden. The Council is however prepared to consider an access road to the cultivated area upon submission of a plan in including the proposed route.



The proposed Franschhoek Cableway Project may not be considered a primary agricultural use as intended by the above title deed conditions. It might be prudent to remove or amend the title deed conditions simultaneously with the consent use application to void rejection by the Deeds Office when registering any servitudes.

- 1.5 Subject to a servitude right of way 3 meters wide in favour of Erf 20, which servitude is depicted by the line a b on Diagram SG No 357/1986 (Condition II.B).

It is unlikely that the servitude will negatively impact the proposed Franschhoek Cableway Project if the servitude is taken into consideration in the planning of the proposed Project.

- 1.6 Subject to general municipal services conditions (Condition II.C).

- 1.7 Subject to a pump station servitude referred to in the Agreement of Sale dated 19 December 2016 in favour of Portion 24 of the Farm La Motte Number 1108, as follows (Condition III):

- 1.7.1 The owner of Portion 24 or its successors in title shall be entitled to install and maintain a water pump on the eastern dam bounded by the south western and south eastern boundaries of the Property and to lead from there a pipeline to a series of fire hydrants located at various positions on the Property and on Portion 24, in order to supply water for fire fighting purposes to Portion 24 in event of a fire.

- 1.7.2 The owner of Portion 24 and its successors in title shall at its won cost provide and martin the requirement pup installation, pipeline and required equipment.

- 1.7.3 The owner of the Property or its successors in title shall maintain the said dam in good conditions and ensure that as far as reasonably possible, the dam shall retain sufficient water to ensure a sufficient supply of water for fire fighting purposes.

It is unlikely that the servitude will negatively impact the proposed Franschhoek Cableway Project if the servitude is taken into consideration in the planning of the proposed Project.

- 1.8 A Deed Search revealed Notarial Deed K335.2006S endorsed against the Property.

We have not been provided with the notarial deed and could not obtain same as to date. It is however highly unlikely that this servitude will negatively impact the proposed Franschhoek Cableway Project if the servitude is taken into consideration in the planning of the proposed Project.

- 1.9 There are no mortgage bonds registered against the Property.



C. THE MUNICIPALITY OF STELLENBOSCH is the registered owner of the following property:

REMAINDER OF ERF 23 FRANSCHHOEK

In the Municipality of Stellenbosch
Division Paarl, Western Cape Province

In Extent 1714,1268 Hectares

Held by Vesting Deed Number T104071/2001

(the "Property")

1. The following encumbrances are registered against the title deed of the Property that may impact on the use and development of the proposed Franschhoek Cableway Project on specific portions of the Property:

A Deed Search revealed Notarial Deed K720/1992S endorsed against the Property.

This servitude is similar to the one recorded in the title deeds of the above properties and refers to a servitude right of way 1 meter wide indicated by the figure A B C on SG Diagram 3778/1991 in favour of Remainder Farm 1447 and Remainder Farm 1113. It is highly unlikely that this servitude will negatively impact the proposed Franschhoek Cableway Project if the servitude is taken into consideration in the planning of the proposed Project.