

53

ES/WPS1/FRANSCHHOEK/CLOS.SVT

Van der Spuy
en Partners

Tel. 419-3622

OPDENG	2012	2012
GEWAAAF/VF		

Prepared by me

CONVEYANCER
J KAT

SEE REG DUTY	R.....
FOOI FEE	R 75,50

(1)

ARTIKEL 40	WET 47 VAN 1937	SECTION 40	ACT 47 OF 1937
VERBIND		MORTGAGED	
B 57038/84			
VIR FOR R 2160 000,00			

BO 000046265/2077	BC 44708196	25 07 96	LP
GEKANCELEER CANCELLED		REGISTRAR	
28 OCT 2022			

T 55813196

CERTIFICATE OF CONSOLIDATED TITLE

Issued under the provisions of section forty of the
Deeds Registries Act, 1937 (No. 47 of 1937)

WHEREAS

VIR ENDOSSEMENTE KYK BLADSY
FOR ENDORSEMENTS SEE PAGE 8

CLOS CABRIERE (PROPRIETARY) LIMITED
NO 82/08929/07

has applied for the issue to them of a Certificate of Consolidated Title under
the provisions of section forty of the Deeds Registries Act, 1937;

AND WHEREAS he is the registered owner of :

1. **ERF 1462 A PORTION OF ERF 23 FRANSCHHOEK**
In the Municipality for the Area of FRANSCHHOEK
Division of PAARL IN THE PROVINCE OF THE WESTERN CAPE

HELD by Deed of Transfer No. T. **U)SS8 II** /1996

2. **ERF 935 FRANSCHHOEK**
In the Municipality for the Area of FRANSCHHOEK
Division of PAARL IN THE PROVINCE OF THE WESTERN CAPE

HELD by Deed of Transfer No. T.68246/1991

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 at CAPE TOWN do hereby certify that the said :

CLOS CABRIERE (PROPRIETARY) LIMITED
^ **NO 82/08929/07**

Their Heirs, Executors, Administrators or Assigns,
is the registered owners of:

^ **ERF 1466 FRANSCHHOEK**
In the Municipality for the Area of FRANSCHHOEK
Division of PAARL IN THE PROVINCE OF THE WESTERN CAPE

IN EXTENT 9,8306 (Nine Comma Eight Three Nought Six) hectares

AS will appear from the annexed Diagram No: 10568/1995

I. **AS REGARDS** to the figure C D E F on Diagram No. 10568/1995

A. **SUBJECT** to the conditions referred to in Grown Grant dated 6 December 1927 (Paarl Freeholds Volume 4 No. 7) reading as follows:-

- "2. That all roads and thoroughfares over the land, whether or not described in the plan or diagram thereof, shall remain free and uninterrupted unless closed, diverted, or altered by competent authority.
3. That all rights to minerals, mineral products, mineral oils and precious stones, precious or base metals on or under the land hereby granted are expressly reserved to the State, together with the right of access to any mines or works undertaken for mining or prospecting purposes by any person duly authorized in that behalf. The land is subject to such further rights as the public or the Government now may or may hereafter have or be entitled to obtain under or by virtue of any law relating to the prospecting, digging, mining, or exploitation of minerals, mineral products, mineral oils, precious stones, precious or base metals on or under the land hereby granted, which rights shall not be impaired or in any way affected by the title-deed.
4. That the land hereby granted shall be subject to all rights and servitudes which now affect, or at any time hereafter may be found to affect, the title of the land hereby granted or which may be binding on the Government in respect of the land as at the date hereof.
6. That a general right of way from and to the adjoining State land over the whole of the land hereby granted is reserved in favour of the State."

B. **FURTHER SUBJECT** to the provisions of the endorsement dated 19 July 1971 on Crown Grant dated 6 December 1927 (Paarl Freeholds Volume 4, no. 7), which endorsement reads as follows:-

"Remainder

By deed of transfer no 18707/71 dated this day, the remainder of erf 23 measuring 1775,7807 HECTARES, held hereunder is subject to a servitude of water and pipeline in favour of erf 59 a portion of erf 23 measuring 2,7948 Hectares thereby conveyed, which said pipeline is indicated by the lines K.c.j.l.m.n.o.p.q. on diagram 1877/66 of the said erf 59 annexed to said deed of transfer no. 18707/71, together with certain ancilliary rights and obligations. As will more fully appear on reference to said deed of transfer."

- C. **SUBJECT FURTHER** to the provisions of the endorsement dated 19 July 1971 on Crown Grant dated 6 December 1927 (Paarl Freeholds Volume 4, no. 7), which endorsement reads as follows:-

"Remainder

By Notarial Deed of Servitude No. K720/92 dated 23/6/1992, the within property is subject to a servitude right of way 1 metre wide indicated by the figure A B C on diagram no 3779/91 in favour of Remainder of the Farm 1447 measuring 11,3665 Ha held by T.29715/90 and Remainder of the Farm no 1113 measuring 8,2512 Ha held by T.29716/90. As will more fully appear on reference to said Notarial Deed."

- D. **FURTHER SUBJECT** the following special conditions in favour of the Municipality of Franschhoek as contained in Deed of Transfer No. T /1996, namely:

1. That the said property be used by the purchaser for the erection and utilisation of buildings, structures, etc. relating to proposed agricultural purposes and for no other purpose.
2. The PURCHASER of the property may not sublet the use of such property or any building thereon without the written approval of the Council.
3. After erection of any buildings etc. relating to the proposed purpose, the PURCHASER must lay out the portion of land not built on in accordance with a plan submitted to and approved by the Council and the PURCHASER must maintain such layout to the satisfaction of the Council.
4. No buildings, fences or other structures may be erected on the said property except at the levels approved by the Council.
5. In addition to compliance with the requirements of the Councils Building Regulations which shall be in force during the erection, the PURCHASER is bound by the policy laid down by the Council with regard to the design, structure and height of buildings.
6. Should the transferee or his/its successors in title 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 Purchaser, without payment of compensation of any kind whatsoever for any improvements effected by the Purchaser, and the transferee or his/its successors in title are hereby bound to do all that which is necessary, and to sign all documents, in order to effect re-transfer to the Council. The costs of such re-transfer must be borne by the transferee or his/its successors in title.

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 waterpipelines over the property hereby purchased 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 parties further agree that the Council shall be entitled to register such servitude for the abstraction or conduction of water against the property hereby sold. The cost of the drawing up of any servitude plan and the registration of such servitude, shall be borne by the Council.
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 including the proposed route.

II. AS REGARDS to the figure A B C F G H J K M N P Q R on Diagram No. 10568/1995

A. **SUBJECT** to the conditions referred to in Grown Grant dated 6 December 1927 (Paarl Freeholds Volume 4 No. 7) reading as follows:-

"2. That all roads and thoroughfares over the land, whether or not described in the plan or diagram thereof, shall remain free and uninterrupted unless closed, diverted, or altered by competent authority.

3. That all rights to minerals, mineral products, mineral oils and precious stones, precious or base metals on or under the land hereby granted are expressly reserved to the State, together with the right of access to any mines or works undertaken for mining or prospecting purposes by any person duly authorized in that behalf. The land is subject to such further rights as the public or the Government now may or may hereafter have or be entitled to obtain under or by virtue of any law relating to the prospecting, digging, mining, or exploitation of minerals, mineral products, mineral oils, precious stones, precious or base metals on or under the land hereby granted, which rights shall not be impaired or in any way affected by the title-deed.

6/...

8.

4. That the land hereby granted shall be subject to all rights and servitudes which now affect, or at any time hereafter may be found to affect, the title of the land hereby granted or which may be binding on the Government in respect of the land as at the date hereof."
6. That a general right of way from and to the adjoining State land over the whole of the land hereby granted is reserved in favour of the State."

B. FURTHER SUBJECT to the provisions of the endorsement dated 19 July 1971 on Crown Grant dated 6 December 1927 (Paarl Freeholds Volume 4, no. 7), which endorsement reads as follows:-

"Remainder

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which provisions is only subject to the water servitude and additional right and obligations, because of the location of the pipeline.

AND that by virtue of these presents the said

CLOS CABRIERE (PROPRIETARY) LIMITED
NO 82/08929/07.

Their Heirs, Executors, 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 DEEDS at
CAPE TOWN on 25th July /1996.



REGISTRAR OF DEEDS

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DIE NAAM VAN DIE		THE NAME OF THE
<i>Transferred</i>		
IS VERANDER NA		HAS BEEN CHANGED TO
<i>CLOS CABRIERE Limited A.</i>		
BC	047697/09	
28 OCT 2009		REGISTRAR/REGISTRAR

BC	000046266/2022
GEKANSELLEER	
CANCELLED	
<i>Beit</i>	
REGISTRAR/REGISTRAR	
28 OCT 2022	

②

VERBIND		MORTGAGED	
VIA FOR R. <i>10.000.000.00</i>			
B	26955/09		
28 OCT 2009		REGISTRAR/REGISTRAR	

Wt. verdere endossamente dien
For further endossamente dien

-9-

T 55813.96

Endorsement in terms of Section 3(1)(v) act 47/1937

The within mentioned registered owner Company
has changed from a Public Company
to a Private Company and is now
known as Clos Calviere Proprietary Limited

No. 1982/008929/07

Application filed as BC

000037929/2015

Am

Deeds Office
Cape Town

Registration of Deeds

22 JUL 2015

For Information

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VAN DER GRUY
en VENNOTE

SYE METER		RIGTINGS- HOEKE	KOÖRDINATE				L.G. Nr.
			Y	Stelsel	Lo 19°	X	
		Konstante	±	0,00	+3700000,00		10568/1995
AB	136,25	239,45.00	A	- 12491,69	+ 53692,95		Goedgekeur <i>R.A.F.</i> Landmeter-generaal 1995.12.15
BC	91,13	298,12.20	B	- 12609,39	+ 53624,31		
CD	220,01	271,12.00	C	- 12689,70	+ 53667,39		
DE	300,00	22,40.00	D	- 12909,66	+ 53672,00		
EF	127,14	63,55.30	E	- 12794,05	+ 53948,83		
FG	16,53	90,40.30	F	- 12679,83	+ 54004,68		
GH	7,65	146,16.00	G	- 12663,31	+ 54004,49		
HJ	32,70	139,08.20	H	- 12659,06	+ 53998,12		
JK	32,42	136,34.10	J	- 12637,66	+ 53973,39		
KM	31,27	130,27.30	K	- 12615,38	+ 53949,85		
MN	28,61	134,05.00	M	- 12591,58	+ 53929,56		VEL 1 VAN 2 VELLE
NP	28,21	143,09.10	N	- 12571,03	+ 53909,65		
PQ	28,66	152,08.20	P	- 12554,11	+ 53887,07		
QR	17,62	160,33.40	Q	- 12540,71	+ 53861,73		
RA	158,17	164,10.00	R	- 12534,85	+ 53845,12		
Konneksies							
AS	25,31	65,14.30	S	- 12468,71	+ 53703,55		
FT	30,00	1,40.30	T	- 12678,96	+ 54034,67		
3319/273 LAMOTTE			A	- 8370,66	+ 49677,17		
3319/274 ROBERT			A	- 9222,64	+ 53953,50		

BAKENBESKRYWING :

A, B, C, H, J, K, } 20mm ysterpen
M, N, P, Q, R, T }
D,E Ysterstaander in klipstapel
F Ysterstaander wat 40cm uitsteek
G 12mm ysterpen
S 20mm ysterpen langs houthoekdraadpaal

KOMPONENTE :

- (1) Die figuur A B C F G H J K M N P Q R stel voor Erf 935 Franschoek
Sien Kaart Nr 1358/1991 ; T/A 1991- -68246
- (2) Die figuur C D E F stel voor Erf 1462 Franschoek
Sien Kaart Nr 10566/1995 ; T/A

Skaal 1:

Die figuur A B C D E F G H J K M N P Q R

stel voor 9,8306 hektaar

grond, synde

ERF 1466 FRANSCHHOEK en bevat (1)-(2) soos hierbo aangehaal

geleë in die Munisipaliteit vir die Gebied Franschoek

Paarl

Administratiewe Distrik

Wes-Kaap

Provinsie Kaap die Goeie Hoop.

Opgemaak in Saamgestel in November 1995

deur my, E L VAN DER MERWE (PLS 0636)

Professionele Landmeter

Hierdie kaart is geheg aan

Die oorspronklike kaarteis.

Lêer Nr. S.7042

Nr. 55813196 /1996

soos hierbo aangehaal.

M.G. Nr. Saamgestel

gedateer

Nr.

geheg aan

Komp. BI-7CB/X13 (1605)

t.g.v. CLOS CABRIERE
(P.T.Y) LTD

Transport/Grondbrief

BI-7CB/Y11 (1607)

BI-7CBC (3897)

Registrateur van Aktes

Nr.

Aftrekplan F13^c (2270)

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VAN DER MERWE DUBURY & KIRKWOOD
Landmeters F56/L

DER SPUY
en VENNOTE

ERF 1466 HHOEK

Geleë in die Munisipaliteit vir die Gebied Franschhoek
Administratiewe Distrik Paarl
Provinsie Wes-Kaap

L.G. No.

10568/1995

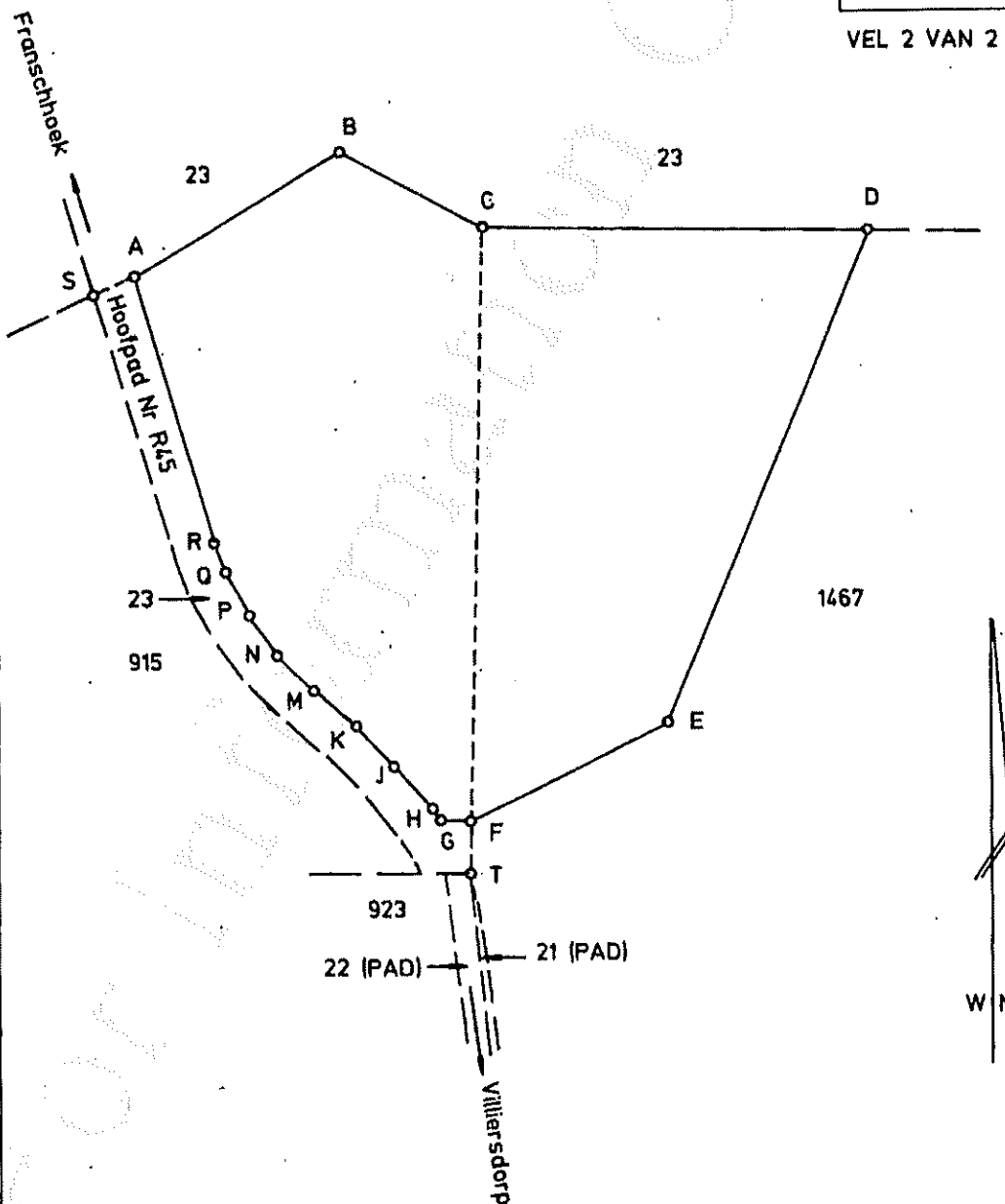
Goedgekeur

R.A.F.

Landmeter-generaal

1995.12.15

VEL 2 VAN 2 VELLE



Saamgestel in November 1995

deur my,

E. L. Van der Merwe

E L VAN DER MERWE (PLS 0636)

Professionele Landmeter

Skaal: 1/4000

COLORADO

1466