

285 VAN ZYL

A. VIR AKTESORGER SE GEBRUIK/FOR CONVEYANCER'S USE:

(a) Gelyktydiges met ander registrasiekantore/deelreëls: Simdls with other registries/sectional titles:

Kode	Firma/Firm	Eiendom/Property	Kantoor/Office
1			
2			
3			
4			

(b) Klient afskrifte van aktes permanent in Aktekantoor gelêas: Client copies of deed filed permanently in Deeds Office:

Aard en nommer van akte Nature and number of deed	Cover No. Omslag Nr.	Parawe van ondersoekers Initials of Examiners

(c) Notas/Notes:

B. VIR AKTEKANTOOR GEBRUIK/FOR DEEDS OFFICE USE:

BLACKBOOK Interdikte nagaan deur Interdicts check 09 MAR 2017 T. MINQAYANA	Opmerkings Remarks	Bevestigings Initials
Datum Date	(1) Dorp goedgekeur (geproklameer) Township approved (proclaimed) (2) Begiftigingserwe Endowment erven (3) Begiftiging Endowment (4) Voorwaardes Conditions (5) Mikro Micro (6) Algemene plan General Plan (7) Trekskate Title Deed (8) Verbonde teen dorpsreël Bonds against township title (9) Datum nagaan Date checked	
Interdikte nagaan deur Interdicts checked by		
Datum Date		

Kantoor instruksies/Office instructions:

Seksie/Section:

Data: Page VA pending

Page VA 7603/06

T. MINQAYANA 2017-03-06

UITVOERING/EXECUTION

Dokument

LODGED

2017-03-20

INGEGEPIEN

A. VIR AKTEKANTOOR GEBRUIK/FOR DEEDS OFFICE USE

LODGED
2017-03-20
INGEGEPIEN

09 MAR 2017

Ondersoekers/Examiners	Kamers/ Rooms	Skakeling/Linking	Reël/ Verwerp	Passer/Pass
1. J. ABRAHAMSTH		1		
2. T. MINQAYANA		1		
3. P. MCBride	1261			
4. T. MINQAYANA				

B. VIR AKTESORGER SE GEBRUIK/FOR CONVEYANCER'S USE.

Aard van Akte/Nature of Deed:

TRANSFER

L'ACQUIS ABANDONNÉ REVENIR IN LA

CAPITO.

MONTAARDE CHALETS IN LA

KANSSEGE & ASS.

Skakeling/Linking

Tresaktes, ent. bynae/Title deeds, etc. within

1

T100431/2001

T79000/2001

GELYKTYDIGESSIMULS

No. in stelsel/batch	Kode Code	Naam van Party/Names of Parties	Naam van Firma/Name of Firm	Firma/ Firm No.
1	T	L'ACQUIS ABANDONNÉ REVENIR / MONTAARDE	VAN ZYL	285
2		CHALETS		
4				
5				
6				
7				
8				
9				
10				

HANDED IN FOR EXECUTION

09 MAR 2017

CAPE TOWN

HANDED IN FOR EXECUTION

EXAMINERS' NOTES/INSIDE

080004136880

REGISTRAR VERSOEK DEUR:
REGISTRATION REQUESTED BY:DATUM:
DATE:

2017-03-10

285

Landsberg & Associates
PO Box 758
Somerset West
7129

Prepared by me

Handwritten signature
CONVEYANCER
DENIS NEVILLE LANDSBERG

Fee endorsement		Office fee
	Amount	
Purchase price/price	10 000 000,00	2310,00
Mortgage capital amount		
Transfer for exemption		

DATA / CAPTURE
20 MAR 2017
MADAMAL

T 000012953 / 2017

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

JACOBUS PETRUS VAN ZYL

appeared before me, the Registrar of Deeds at Cape Town, the said appearer, being duly authorised thereto by a power of attorney signed at FRANSCHHOEK on 8th February 2017 and granted to him by

L'AUBADE MOUNTAIN RETREAT PROPRIETARY LIMITED
Registration Number 2001/014245/07

And the appearer declared that:

Whereas the Transferor had truly and legally sold the undermentioned property on 19 December 2016 by Private Treaty

DATA / VERIFY
23 MAR 2017
LARNEY FATGEYAH

Now therefore the Appearer on behalf of the Transferor, did by these presents, cede and transfer to and on behalf of

MONTMARTRE CHALETS PROPRIETARY LIMITED
Registration Number 2016/125679/07

its successors in title or assigns, in full and free property

**ERF 1467 FRANSCHHOEK, IN THE MUNICIPALITY OF STELLENBOSCH,
DIVISION OF PAARL, PROVINCE OF THE WESTERN CAPE**

IN EXTENT 15,6308 (FIFTEEN COMMA SIX THREE ZERO EIGHT) HECTARES

**FIRST REGISTERED BY CERTIFICATE OF CONSOLIDATED TITLE NUMBER
T55815/1996 WITH DIAGRAM SG NUMBER 10569/1995 ANNEXED THERETO
AND HELD BY DEED OF TRANSFER T100431/2001**

- I. **AS REGARDS** the figure A B C D E M N P on Diagram Number 10569/1995:
- A. **SUBJECT** to the conditions referred to in Crown Grant dated 6 December 1927 (Paarl Freeholds Volume 4 No 7) reading as follows:
- "2. That all roads and thoroughfares over the and, whether or not described in the plan or diagram thereof, shall remain free and uninterrupted unless closed, diverted, or altered by competent authority."
3. **NOT SUBJECT** to the condition I A 3 on page 2 of Deed of Transfer number T20724/2007 by virtue of the provisions of Section 53 of the Mining Titles Registration Amendment Act, 24 of 2003.
- "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. **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 Deed of Transfer number 18707/71 dated this day, the remainder of erf 23 measuring 1775,8707 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 number 18707/71, together with certain ancillary rights and obligations as will more fully appear on reference to said Deed of Transfer.

- C. **SUBJECT FURTHER** to the provision 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 meter 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 T29715/90 and Remainder of the farm no 1113 measuring 8,2512 Ha held by T29716/90. As will more fully appear on reference to said Notarial Deed."

- D. **SUBJECT FURTHER** to the following special conditions in favour of the Municipality of Franschhoek as contained in Deed of Transfer No T55814/1996, namely:

1. That the said property be used by the purchaser for the erection and utilization 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 building etc. relating to the proposed purpose, the PURCHASER 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 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 Council's 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 water pipelines 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 M E F G H J K on Diagram No 10569/1995:

- A. SUBJECT** to the conditions referred to in Deed of Transfer No T 300/1890 dated 21 March 1890.
- B. SUBJECT FURTHER** to the following endorsement dated 11 January 1984 on Deed of Transfer No T 12777/1978, reading as follows:

"Kragtens Akte van Transport Nr. T1542/1984 gedateer hierdie dag is die binnegemelde eiendom (para 2) onderhewig aan 'n serwituut reg van weg 3 meter wyd, ten gunste van erf 20, Groot 1,7132 Hektaar, gehou kragtens Aktes van Transport Nr T1542/1983 gedateer hierdie dag, welke serwituut ewewydig en oor die volle lengte van die grenslyn B C op Kaart 249/1819 geheg aan Grondbriewe gedateer 1/6/1827 (Stellenbosch Erfpagte Vol 7 Nr. 35) val. Soos meer volledig sal blyk uit gesegde Akte van Transport."

The said border line reflects the line a b as depicted on Diagram SG No 357/1986 attached to Certificate of Registered Title No T28129/1986.

- C. SUBJECT FURTHER** to the following conditions, imposed in Certificate of Registered Title No T28129/1986, by the Administrator of the Cape of Good Hope, in terms of Section 9 of Ordinance 33 of 1934 when approving of the subdivision of remainder of Erf 21 Franschhoek, reading as follows:

1. Die eienaar van hierdie erf is verplig om sonder betaling van vergoeding toe te laat dat hoofgasleidings, elektrisiteits-, telefoon- en televisiekabels en/of -drade, hoof en ander waterpype en rioolvuil en dreinerings, insluitende stormwater van enige ander erf of erwe, oor hierdie erf gevoer word en dat bopas installasies soos mini-substansies, meter kiosks en dienspale daarop geïnstalleer word, indien dit deur die plaaslike owerheid of 'n ander statutêre owerheid nodig geag word, en wel op die wyse en plek wat van tyd tot tyd redelikerwys vereis word. Dit sluit die reg op toegang te alle redelike tye tot die eiendom in met die doel om enige werke met betrekking tot genoemde aan te lê, te wysig, te verwyder of te inspekteer.
2. Die eienaar van hierdie erf is verplig om sonder vergoeding op die erf die material te ontvang of uitgrawings op die erf toe te laat al na vereis word, sodat die volle breedte van die straat gebruik kan word weens die verskil tussen die hoogte van die straat soos finaal aangelê en die erf, tensy hy verkies om steunmure te bou tot genoeg van en binne 'n tydperk wat die plaaslike owerheid bepaal.

III. AS REGARDS the whole property:

SUBJECT FURTHER to a pump station servitude referred to in the Agreement of Sale of the within property dated 19th December 2016, in favour of Portion 24 of the Farm La Motte No.1108 in the Municipality of Stellenbosch, Division of Paarl, Province of the Western Cape (hereinafter referred to as Portion 24), as follows:

1. The owner of Portion 24 and its successors in title shall be entitled to install and maintain a water pump on the earthen 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 the event of fire.
2. The owner of Portion 24 and its successors in title shall at its own cost provide and maintain the required pump installation, pipeline and required equipment.
3. The owner of the property and its successors in title shall maintain the said dam in good condition 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.

For Information

WHEREFORE the appearer, renouncing all the right and title the said

L'AUBADE MOUNTAIN RETREAT PROPRIETARY LIMITED

heretofore had to the premises, did, in consequence also acknowledge them to be entirely dispossessed of, and disentitled to, the same; and that, by virtue of these presents, the said

MONTMARTRE CHALETS PROPRIETARY LIMITED

its successors in title or assigns, now is and henceforth shall be entitled thereto, conformably to local customs; the State, however, reserving its rights, and finally acknowledging that the purchase price is the amount of R 10 000 000.00 (Ten Million Rand).

IN WITNESS WHEREOF I, the said Registrar, together with the appearer, have subscribed to these presents, and have caused the seal of office to be affixed thereto.

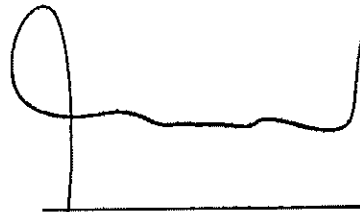
THUS SIGNED, EXECUTED AND SEALED at the Office of the Registrar of Deeds at Cape Town on

2017-03-10

In my presence



Registrar of Deeds



Signature of appearer q.q.

PROD DEEDS REGISTRATION SYSTEM - CAPE TOWN
PREPARED BY : DRS08262 - MNAMATA PHUMELELA ANTONIO

DATE : 20170302 TIME : 11:48:55.6 PAGE : 1

TRACK NUMBER : 80004136880

BLACK-BOOKING ENQUIRY ON NAME - L'AUBADE MOUNTAIN RETREAT PTY LTD
ID NUMBER - 200101424507
BIRTH DATE - 0
MARITAL STATUS -
MAIDEN NAME -
TYPE OF PERSON - COMPANY

OTHER REFERENCES LINKED TO THIS PERSON :
EXTRA DIMENSIONS-59 PTY LTD

ID: 200101424507

(INACTIVE)

PERSON NAME AND ID

CONTRACTS/INTERDICTS

NOTED ON SCAN/MICRO REF

L'AUBADE MOUNTAIN RETREAT PTY LTD

200101424507

BC85229/2006

20060922-20070119113034

200101424507

VA7603/2006-T100431/2001

20060922 20070119113006

** PLEASE NOTE : THE INFORMATION APPEARING ON THIS PRINTOUT IS FURNISHED FOR PURPOSES OF INFORMATION ONLY.
FOR MORE DETAILED INFORMATION, PLEASE REFER TO THE REGISTERED SOURCE DOCUMENTS.

END OF REPORT

THE E. / XABBA / KE

TRACK NUMBER : 80004136880

PROPERTY DETAILS PRINT FOR PORTION
ERF NO 1467
TOWNSHIP FRANSCHHOEK
REG DIV NOT AVAILABLE

PROVINCE WESTERN CAPE
PREV DESCRIPTION T55815/1996
DIAGRAM DEED NO 15:6308 H
EXTENT FRANSCHHOEK MUN
CLEARANCE

NO INTERDICTS

DOCUMENTS
K335/2006S
VA7683/2006
FROM-468,1463
VA-T100431/2001-PENDING

HOLDER & SHARE

T100431/2001

REGISTRATIONS 11/8/2006

AMOUNT

O/P/A

SCAN/MICRO REF

MMD

20141013150520

0922

20070119113006

0922

0913

OWNER DETAILS

FULL NAME & SHARE
L'ALBADE MOUNTAIN RETREAT PTY LTD

PURCH DATE AMOUNT/REASON O/P/A IDENTITY TITLE DEED

20010727

R0600000:60

200101424507

T100431/2001

MMD

MICROFILM REF

1213

20141013150452

* O/P/A - 0 - MULTIPLE OWNER P - MULTIPLE PROPERTY A - MULTIPLE OWNER AND PROPERTY

** PLEASE NOTE : THE INFORMATION APPEARING ON THIS PRINTOUT IS FURNISHED FOR PURPOSES OF INFORMATION ONLY.
FOR MORE DETAILED INFORMATION, PLEASE REFER TO THE REGISTERED SOURCE DOCUMENTS.

*** END OF REPORT ***

TRACK NUMBER : 89004136888

PROPERTY DETAILS PRINT FOR PORTION
FARM NO
REG DIV

24
1188
PAARL RD

PROVINCE WESTERN CAPE
PREV DESCRIPTION T33879/1991
DIAGRAM DEED NO 15,3171 H
EXTENT
CLEARANCE KWINELANDS DC
FARM NAME LA MOTTE

NO INTERDICTS

DOCUMENTS
K335/20065
FROM-PL RD 1108/12,2

HOLDER & SHARE

AMOUNT

O/P/A

SCAN/MICRO, REF
20141013150520

MMD
0922

OWNER DETAILS

FULL NAME & SHARE
L'AUBADE MOUNTAIN RETREAT PTY LTD

PURCH DATE AMOUNT/REASON O/P/A IDENTITY TITLE DEED
20010720 - R7390000.00 200101424507 T79000/2001

MMD MICROFILM REF
0000 20141013150400

* O/P/A - O - MULTIPLE OWNER P - MULTIPLE PROPERTY A - MULTIPLE OWNER AND PROPERTY

** PLEASE NOTE : THE INFORMATION APPEARING ON THIS PRINTOUT IS FURNISHED FOR PURPOSES OF INFORMATION ONLY.
FOR MORE DETAILED INFORMATION, PLEASE REFER TO THE REGISTERED SOURCE DOCUMENTS.

*** END OF REPORT ***

KEE / XARRA / KE

19

1. Lodge the title of the 24 of the

Arms La Motte NO 1108, N.T. 19030/1001

- to be ordered Re Penthouse

- see PA by deed. Done

P. McNamee
12/3/17

2) Re component 1 in deed
omit mineral rights in condition A.3 with a not subject clause - RC6/240.

edit 2
P. McNamee
12/3/17

Done

3) Re newly proposed pump station servitude

- number as component III "As regards to the whole property"
- Section 76(1)(b) applies. Transferee to consent to the servitude being established in the transfer.

Done