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Attorneys
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22 Gardiner Street
DURBAN
4001

Prepared by me


CONVEYANCER
HATHORN FJ

PREPARED
DATE: 21.09
BY: _____
FOR: _____

BC 13079 / 2017
GEKANSLEER
CANCELLED

REGISTRATEUR/REGISTRAR

2017-05-08

09 SEP 2005

VERBIND	MORTGAGED
VR FOR R 16 999 000.00	
B	43 31090
	09 SEP 2005
	REGISTRATEUR/REGISTRAR

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

SUSAN MARY STANFORD

appeared before me, REGISTRAR OF DEEDS, at PIETERMARITZBURG, the said appearer being duly authorised thereto by a Power of Attorney which said Power of Attorney was signed at PORT ELIZABETH on 22nd July 2005 granted to him by

PELDAS INVESTMENTS (PROPRIETARY) LIMITED
No. 199W/019443/07

T 03 46300

And the appraiser declared that his said principal had, on 27 May 2005, truly and legally sold by Private Treaty, and that he, the said Appraiser, in his capacity aforesaid, did, by virtue of these presents, cede and transfer to and on behalf of:

JAVEL TRADING (PROPRIETARY) LIMITED
No. 2004/021076/07

or his Successors in Title or assigns, in full and free property

1. **PORTION 2 OF ERF 337 VERULAM,**
REGISTRATION DIVISION FU,
PROVINCE OF KWAZULU-NATAL; ✓
IN EXTENT 4 305 (FOUR THOUSAND THREE HUNDRED AND FIVE)
SQUARE METRES

First transferred by Deed of Grant No. T 15307/1983 with Diagram S.G.No. 1754/1981 annexed thereto and held by Deed of Transfer No. T 63600/2003.

THIS PROPERTY IS TRANSFERRED :

Subject to such of the terms and conditions of the original Government Grant No. 1575/1850 which are still in force and applicable, save in so far as same have lapsed by merger by reason of Deed of Transfer No. T 4897/1921.

2. **PORTION 1 OF ERF 341 VERULAM,**
REGISTRATION DIVISION FU,
PROVINCE OF KWAZULU-NATAL; ✓
IN EXTENT 289 (TWO HUNDRED AND EIGHTY NINE) SQUARE
METRES

First transferred by Deed of Transfer No. T 1636/1964 with Diagram S.G.No. 6683/1960 annexed thereto and held by Deed of Transfer No. T 63600/2003.

THIS PROPERTY IS TRANSFERRED :

Subject to such of the terms and conditions of the original Government Grant No 1575/1850 which are still in force and applicable, save in so far as same have lapsed by merger by reason of Deed of Transfer No. T 1838/1964.



3. **PORTION 2 OF ERF 341 VERULAM,
REGISTRATION DIVISION FU,
PROVINCE OF KWAZULU-NATAL;
IN EXTENT 2 270 (TWO THOUSAND TWO HUNDRED AND SEVENTY)
SQUARE METRES**

First transferred by Deed of Transfer No. T 1636/1984 with Diagram S.G.No. 6884/1960 annexed thereto and held by Deed of Transfer No. T 6360/2003.

THIS PROPERTY IS TRANSFERRED :

Subject to such of the terms and conditions of the original Government Grant No. 1575/1850 which are still in force and applicable, save in so far as same have lapsed by merger by reason of Deed of Transfer No. T 1636/1984.

4. **REMAINDER OF ERF 341 VERULAM,
REGISTRATION DIVISION FU,
PROVINCE OF KWAZULU-NATAL;
IN EXTENT 9 659 (NINE THOUSAND SIX HUNDRED AND FIFTY NINE)
SQUARE METRES**

First transferred by Deed of Transfer No. T 9571/1953 with diagram relating thereto and held by Deed of Transfer No. T 63600/2003.

THIS PROPERTY IS TRANSFERRED :

- (a) Subject to such of the terms and conditions of the original Government Grant No. 1575/1850, as are still in force and applicable.
- (b) **SUBJECT to the following special conditions imposed by the Administrator of the Province of Kwazulu-Natal, in terms of Ordinance No. 10 of 1934 (as amended), as created in said Deed of Transfer No. 9671/1953, namely :-**
- (i) This subdivision shall not be subdivided without the consent of the Administrator.

(ii) Except with the consent of the Administrator, this subdivision shall not be used for any purpose other than of industry and/or manufacturing purposes and/or matters incidental thereto; provided that one dwelling house with the necessary outbuilding in addition to the industrial premises, may be erected on this subdivision as a residence for a manager, foreman or caretaker and provided further, that there shall be no direct access between the industrial and residential premises.

(iii) No industry or manufacture which, in the opinion of the local authority, is noxious or injurious to the health of the occupants of adjacent land, shall be conducted on this subdivision.

(iv) No trade, business, industry, manufacture, process or occupation shall be carried on upon the said subdivision, if in the course of such trade, business, industry, manufacture, process or occupation any offensive liquid or waste water is, or is liable, to be produced or discharged therefrom or is likely to become offensive or to cause a nuisance, until such arrangements have been made to the satisfaction of the Verulam Town Board in consultation with the Administrator of the Province of Kwa-Zulu Natal as will effectually prevent such offensive liquid or waste water being or causing a nuisance after leaving or being discharged or conveyed from the said subdivision, or being conveyed into any supply of water which is used for drinking or any other domestic purposes, or into any public river or stream, or rather directly or by percolation or otherwise

In the event of any arrangements as aforesaid proving to be insufficient or inadequate in any respect, any such trade, business, industry, manufacture, process or occupation, shall forthwith be discontinued – upon receipt of written notification to that effect – until such time as further arrangements have been made to the satisfaction of the Verulam town Board in consultation with the Administrator aforesaid.

(c) Subject to the special condition imposed by the Town Board of the Township of Verulam, in terms of Section 111 of Ordinance No.21 of 1942, as created in the said Deed of Transfer T9671/1953, namely:-

Buildings of a value not less than R2000,00 (Two Thousand Rand) shall be erected on the erf and falling the erection of such buildings within two years from 31 day of March 1953, being the date of purchase of the erf from the local authority, an amount of R2000,00 (Two Thousand Rand) shall be added to the value of the erf for rating purposes, in terms of Section 111 of Ordinance No.21 of 1942.

✓

(d) Subject to the sewer servitude represented by the figure A B C D on Servitude Diagram S.G. No. 370/1975 in favour of the Town Council of Verulam, as created in Notarial Deed of Servitude K1399/1977.

5. **REMAINDER OF PORTION 2 OF ERF 348 VERULAM,
REGISTRATION DIVISION FU,
PROVINCE OF KWAZULU-NATAL;**
**IN EXTENT 7,4041 (SEVEN COMMA FOUR ZERO FOUR ONE)
HECTARES**

First transferred by Deed of Transfer No. T 11229/1967 with Diagram S.G.No. 2999/1962 relating thereto and held by Deed of Transfer No. T 63600/2003.

THIS PROPERTY IS TRANSFERRED :

A. Subject to such of the terms and conditions of the original Government Grant No. 1575/1850, as are still in force and applicable.

B. **SUBJECT** to the following special conditions imposed by the Administrator in terms of Ordinance No. 27/1949, as created in Deed of Transfer No. T11229/1967, namely :-

1. Except with the consent of the Administrator, this subdivision shall not be used for any purpose other than of industry and/or manufacturing purposes and/or matters incidental thereto; provided that one dwelling house with the necessary outbuildings in addition to the industrial premises, may be erected on this subdivision as a residence for a manager, foreman or caretaker and provided further, that there shall be no direct access between the industrial and residential premises.

2. No industry or manufacture which in the opinion of the local authority, is noxious or injurious to the health of the occupants of adjacent land, shall be conducted on this subdivision.

3. The local authority shall, without compensation, have the right to erect, lay and maintain electric wires and/or water supply piping over or under the land along any boundary thereof other than a road frontage and within a distance of 1,83 meters from such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension.

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The rights conferred by this condition shall be exercisable by any local authority or other body or person legally authorized to supply electric current or water for the benefit of the inhabitants of the township.

If the owner of the lot be aggrieved by the unreasonable exercise of these rights, he shall have the right of appeal to the Administrator whose decision shall be final.

4. The local authority shall, without compensation, have the right to construct and maintain the sewers and drains over or under the land along any boundary thereof other than a road frontage and within a distance of 1.83 meters such boundary and shall have reasonable access thereto for the purpose of maintenance, removal or extension, and the owner of the land shall, without compensation, shall be obliged to allow the sewerage and drainage of any other land or street to be conveyed along such sewers and drains; provided that if the owner of the land be aggrieved by the unreasonable exercise of these rights, he shall have the right of appeal to the Administrator, whose decision shall be final.

5. Where ~~there are~~ ^{two or} more pieces of land subject to similar conditions are consolidated with the consent of the Administrator, such consent shall, in the absence of anything to the contrary therein contained, involve the application of the conditions mentioned above namely B1-4, to the consolidated area as a whole.

6. The owner of the land shall, without compensation, be obliged to permit such deposit of material or excavation on the land as may, in connection with the formation of any street in the township and owing to differences in level between the land and the street, be deemed necessary by the local authority, in order to provide a safe and proper slope to the cut and fill commencing from the boundary of the land, unless he shall elect, at his own cost, to build a retaining wall.

7. The local authority shall, without compensation, have the right to construct and maintain sewers and drains over or under the land along and within a distance of 3.05 metres on either side of the natural channel which traverses the land and shall have reasonable access thereto for the purpose of maintenance, removal or extension, and the owner of the land shall, without compensation, be obliged to allow the sewerage and drainage of any other land or street to be conveyed along such sewers and drains; provided that if the owner of the land be aggrieved by the unreasonable exercise of these rights he shall have the right of appeal to the Administrator, whose decision shall be final.

8. Except with the consent of the Government of the Union of South Africa its Railways and Harbours Administration, no building or structure whatsoever shall be erected on the land within a distance of 9,45 metres from any boundary abutting the South African Railways Service.

C. Subject to the following special conditions in favour of and enforceable by the Town Board of the Township of Verulam, as created in Deed of Transfer No. T 11229/1967, namely :-

(a) No trade, business, industry, manufacture, process or occupation shall be carried on upon the said land, if in the course of such trade, business, industry, manufacture, process or occupation any offensive liquid or waste water is, or is liable to be produced or discharged therefrom or is likely to become offensive or to cause a nuisance, until such arrangements have been made to the satisfaction of the seller as will effectually prevent such offensive liquid or waste water being or causing a nuisance on the said land or being discharged or conveyed from the said land or being conveyed into any supply of water which is used for drinking or other domestic purposes, or into any public river or stream, whether directly or peccolation or otherwise. In the event of any arrangements as aforesaid proving to be insufficient or inadequate in any respect, any such trade, business, industry, manufacture, process or occupation, shall forthwith be discontinued, upon receipt of written notification to that effect - until such time as further arrangements have been made to the satisfaction of the Transferor.

(b) The land shall be entitled to a supply from the local authority of the normal quantity of water for domestic and household purposes and to such supply as, from time to time, the local authority can conveniently supply for industrial purposes.

(c) Subject to :-

(i) any application by the Purchaser to the Water Court being made at its own cost;

(ii) the local authority deciding and indicating as to where, over any land belonging to it, any pipes leading water, drainage and effluent to or from the said land shall be laid;

the owner of the land shall vis-à-vis the local authority, have the right to :-

(i) draw water from the Umhloiti River to a point East of Starr Street and lead water by pipe from such site along Starr Street to the said land;

(ii) dispose of drainage including, inter alia, non-offensive effluent into the local authority's drain in Starr Street, provided that should the local authority deem it to be in the interests of the township that such use of the drain in Starr Street be discontinued, the Purchaser shall, upon three month's written notice from the local authority to that effect, cease to discharge such drainage into the drain in Starr Street.

(d) The Purchaser shall erect or cause to be erected on the said Portion 2 buildings to the value of R50 000,00, and falling the erection of buildings to that value within 2 (Two) years from the date of sale, the amount of R50 000,00 shall be added to the value of the said Portion 2 for rating purposes in terms of Section 111 of Ordinance Number twenty seven of 1942.

D. Subject to a sewer and drain servitude 6,10 metres wide imposed by the Administrator in terms of Ordinance No. 27/1949, as amended, the center lines of such servitude being represented by the irregular lines a.d.e.f.g.h.j. and k.1. on the diagram in favour of the local authority, as created in Deed of Transfer No. T 11229/1967.

E. Subject to sewer and drain servitude 2 metres wide, the center lines of which are lettered A.B.C.D.E.F.G.H.J.K.L.M.N.P. and R.D. on Diagram S.G. No. 1237/1977, as created in Notarial Deed of Servitude No. K 1141/1978S.

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WHEREFORE the said Appearer, renouncing all right and title which the said

PELDAS INVESTMENTS (PROPRIETARY) LIMITED
No. 1999/019443/07


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

JAVEL TRADING (PROPRIETARY) LIMITED
No. 2004/021076/07

or its Successors in Title or assigns, now is and henceforth shall be entitled thereto, conformably to local custom, the State, however reserving its rights, and finally acknowledging the purchase price to be the sum of R16 000 000,00 (SIXTEEN 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 DONE and EXECUTED at the Office of the Registrar of Deeds at Pietermaritzburg on
09 SEP 2005


q.q.

In my presence

^(Appr)
REGISTRAR OF DEEDS

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ANNEXED TO T 465-00 | 05

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VA 000001604 / 2017

Certified a true copy of the duplicate original
Gesertifiseer 'n ware afskrif van die duplikaat/

filed of record in this Registry, issued to serve in
oorspronklike in bewaring gegee op hierdie Regi-

place of the original thereof under the provisions
strasiekantoor, uitgereik om te dien in die plek van

of Deeds Registries Regulation No. 68 (1) Act 47/37
die oorspronklike daarvan onder die bepattings van
die Registrateur van Aktes Regulasie No. 68 (1) Wet 47/37

2017-05-08

DATE/DATUM

REGISTRATEUR/REGISTRAR