

Prepared by me.

Submy

CONVEYANCER

RADOMSKY M.

HARBOUR S.C.

BC 45944 199

GEK ANGEKLEBTER
CANCELLED

REGISTRAR OF DEEDS

1999-09-23

B 15583 190

1990-03-23

R 110 000 00

R 110 000 00

Registrar

FOR FURTHER ENDORSEMENTS SEE
VIR VENDOR ENDOSEMENTS ETC.

Page 9

16055 190

DEED OF TRANSFER

BY VIRTUE OF A POWER OF ATTORNEY

Mallinick Ress Richman & Closenbergh Inc.
6th Floor,
2 Long Street,
CAPE TOWN.

BE IT HEREBY MADE KNOWN:

THAT ARNOLD SIMON RUCH

appeared before me, Registrar of Deeds, at Cape Town, he the said Appearer, being duly authorised thereto by a Power of Attorney executed at CAPE TOWN on the 2nd February 1990 by

1. **KARL GUNTER HERBERT ALTHAUS**
Identity Number 350411 5074 10 4
MARRIED, WHICH MARRIAGE IS GOVERNED BY THE LAWS OF WEST GERMANY

2. **HELGA MARIA ALTHAUS**
Identity Number 300811 0097 10 3
MARRIED, WHICH MARRIAGE IS GOVERNED BY THE LAWS OF WEST GERMANY

which power, witnessed in accordance with law, was exhibited to me on this day:

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AND the Appearer declared that his said Principal had truly and legally sold on 19th January 1990 and that he, in his capacity as Attorney aforesaid, did by these presents, cede and transfer in full and free property to and on behalf of

ALEX MARTIN JOCHHEIM
Identity Number 590822 5044 00 6
UNMARRIED

- WHITE GROUP -

His Heirs, Executors, Administrators, or Assigns,

ERF 2374 CAMPS BAY, in the City of Cape Town, Cape Division;

IN EXTENT: 879 (EIGHT HUNDRED AND SEVENTY NINE) square metres;

FIRST TRANSFERRED by Deed of Transfer No. T.30755/1979 with Diagram No. 4067/79 relating thereto and **HELD** by Deed of Transfer No. T.51511/1984.

WHITE GROUP
BLANKE TUITSE

- A. **SUBJECT** to the conditions referred to in Deed of Transfer No. T.9201/1960;
- B. **SUBJECT FURTHER** to the conditions contained in the amended Deed of Grant dated 24th March 1902 (Cape Quitrents Volume 40 No. 33) which include one that the land shall be subject to all such duties and regulations as either are or shall in future be established regarding land granted under similar tenure;
- C. **SUBJECT FURTHER** to the conditions lettered (d) of the servitude referred to in the endorsement of servitude dated 17th September 1937 on the aforesaid amended Deed of Grant, which endorsement reads as follows:-

"Registration of Servitude

By transfer 9842 dated 17th September 1937

- (d) to the right to allow drainage and sewerage to be conveyed over the remainder of the land hereunder has been granted in favour of

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the land thereon conveyed subject to conditions as will more fully appear on reference to the said transfer."

D. **SUBJECT FURTHER** to the following special conditions contained in Deed of Transfer No. T.15204/1966 imposed by the Administrator of the Province of the Cape of Good Hope in terms of Ordinance no. 33 of 1934 when approving the establishment of the Township of Camps Bay Extension No. 1, namely:-

1. Any words and expressions used in the following conditions shall have the same meaning as may have been assigned to them by the regulations published under Provincial Administration Notice No. 401 dated 17th October 1935, and in the memorandum which accompanied the said regulations.
2. In the event of a Town Planning Scheme or any portion thereof applying or being made applicable to this erf any provisions thereof which are more restrictive than any conditions of title applicable to this erf shall take precedence. Furthermore, nothing in these conditions shall be construed as overriding the provisions of Section 146 of Ordinance No. 15 of 1952, as amended.
3. The owner of this erf shall, without compensation, be obliged to allow electricity and water mains, and the sewage and drainage, including stormwater, of any other erf or erven inside or outside this township to be conveyed across this erf, if deemed necessary by the local authority and in such manner and position as may from time to time be reasonably required; this shall include the right of access to the erf, at any reasonable time in order to construct, maintain, alter, remove or inspect any sewer, manhole, channel, conduit, or other works pertaining thereto.
4. The owner of this erf shall be obliged, without compensation, to receive such material or permit such excavation on the erf as may be required to allow use of the full width of the street and provide a safe and proper slope to its bank owing to difference between the levels of the street as finally constructed and the erf, unless he elects to build

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retaining walls to the satisfaction of and within a period to be determined by the local authority.

5. This erf shall be subject to the following further conditions, provided that where, in the opinion of the Administrator after consultation with the Townships Board and the Local Authority, it is expedient that the restriction in any such condition should at any time be suspended or relaxed, he may authorise the necessary suspension or relaxation subject to compliance with such conditions as he may impose.

- (d) : No building or structure or any portion thereof except boundary walls and fences, shall be erected nearer than 7,87 metres to the street line which forms a boundary of this erf nor within 3,15 metres of the rear or 1,57 metres of the lateral boundary common to any adjoining erf, provided that with the consent of the local authority an outbuilding not exceeding 3,05 metres in height, measured from the floor to the wall plate may be erected within the above prescribed rear space and within the above prescribed lateral space for a distance of 9,45 metres reckoned from the rear boundary. On consolidation of any two or more erven, this condition shall apply to the consolidated area as one erf.
- (e) Notwithstanding the provisions of condition (d) above, a garage intended as an adjunct to the dwelling may be erected as such lesser distance from the street line as is permitted under the provisions of the Town Planning Scheme of the Municipality of Cape Town relating to the erection of private garages, on steeply sloping sites provided that in no event shall any such garage be erected less than 1,42 metres from the said street boundary.

- E. **SUBJECT FURTHER** to the following special conditions contained in Deed of Transfer No. T.15204/1966, imposed by the Township Owners in favour of themselves, there being no obligation upon the said Township Owners, however, to compel compliance with such conditions nor any liability on the

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said Township Owners in the event of any contravention of such conditions by any erf holder.

- (i) That no dwelling shall be erected on this erf costing less than Six Thousand Rand (R6 000,00) provided that the Township Owners may in their sole discretion reduce this amount in any particular case if in their opinion building costs in Cape Town fall as compared with building costs in the year 1962.
- (ii) No building shall be erected on this erf unless the plans and specifications of such building have been lodged with and approved by the Township's Owners.
- (iii) That no noisome, injurious or objectionable trade or business of any kind shall be carried on in any such dwelling house or building or on the said erf and such erf shall at all times be kept in such a state as not to be a nuisance or annoyance to persons using the roads or to neighbours.
- (iv) That no advertisements, name, or lettering of any unsightly size, colour or character shall be painted on or affixed to any wall, building or structure on the property and no advertisement, name or lettering of any kind shall be painted on or affixed to the roof of any building on the property and no washing or other such articles shall be exposed to view on the premises in any unsightly manner.
- (vi) The material to be used for the fencing of the land and the mode of erection thereof, shall be subject to the approval of the township's owners but no roof shall be constructed of corrugated iron and in no case shall any fencing with galvanised iron be allowed.
- (vii) The Township Owners reserve the right to vary the above conditions imposed by them if required thereto by the Administrator or other competent authority.

5. **SUBJECT FURTHER** to the following special conditions contained in Deed of Transfer No. T.15204/1966 imposed by the Township Owners, who reserve for

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G. **SUBJECT FURTHER** to the following conditions mentioned in Deed of Transfer No. T.30755/1979, imposed by the Administrator in terms of Ordinance No. 33 of 1934 when approving of the subdivision, namely:-

- (a) The owner of this erf shall without compensation, be obliged to allow gas mains, electricity, telephone and television cables and/or other wires and main and/or other waterpipes and the sewage and drainage, including stormwater of any other erf or erven to be conveyed across this erf, if deemed necessary by the local authority and in such manner and position as may from time to time be reasonably required. This shall include the right of access to the erf at any reasonable time for the purpose of constructing, altering, removing or inspecting any works connected with the above.
- (b) The owner of this erf shall be obliged, without compensation, to receive such material or permit such excavation on the erf, as may be required to allow use of the full width of the street and provide a safe and proper slope to its bank owing to difference between the levels of the street he elects to build retaining walls to the satisfaction of and within a period to be determined by the local authority.

The Township Owner referred to above is Rontree Estate (Proprietary) Limited.

Wherefore the Appearer in his said capacity, renouncing all the right and title the said

TRANSFERORS

heretofore had to the premises, did, in consequence, also acknowledge the said

TRANSFERORS

to be entirely dispossessed of and disentitled to the same; and that, by virtue of these presents, the said

TRANSFERRER

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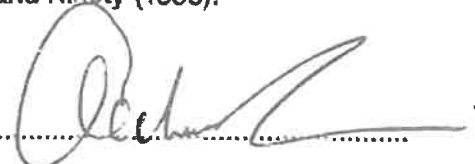
His heirs, executors, administrators, or assigns now is and henceforth shall be entitled thereto, conformably to local custom, the State however, reserving its rights; and finally acknowledging the

TRANSFERORS

to have been paid the whole of the purchase price amounting to the sum of **R525 000,00 (FIVE HUNDRED AND TWENTY FIVE THOUSAND RAND).**

IN WITNESS whereof, I, the said Registrar, together with the Appearer q.q. 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, in CAPE TOWN on the 21st day of MARCH in the Year of our Lord, One Thousand Nine Hundred and Ninety (1990).


.....
q.q.

In my presence


Registrar of Deeds

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BC45945199
GEKANSCELLEER CANCELLED
<i>[Signature]</i>
REGISTRAR BUREAU
1996-09-23

VERBIND MORTGAGED	
VR 140 000,00	
B 6456 94	<i>H. Boff</i>
1994-01-28	
REGISTRAR BUREAU	

DS(d)


PN 17/174 25 February 1974

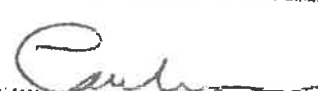
4845


[Signature]

BC45946199
GEKANSCELLEER CANCELLED
<i>[Signature]</i>
REGISTRAR BUREAU
1996-03-23

VERBIND MORTGAGED	
VR 150 000,00	
B 35230 195	<i>[Signature]</i>
30 05 195	
REGISTRAR BUREAU	

VERBIND		MORTGAGED	
VIR		500 000,00	
FOR FR			
40992 99		 REGISTRATEUR/REGISTRAR	
1999-09-23			

DE IDENTITEITSNUMMER VAN DE	THE IDENTITY NUMBER OF THE
Transferee	
IS VERANDERT NA	HAS BEEN CHANGED TO
590822 5044 089	
 REGISTRATEUR/REGISTRAR	
1999-09-23	

VERBIND		MORTGAGED	
VIR		500 000,00	
FOR FR			
B 1529 1004		 REGISTRATEUR/REGISTRAR	
13 JAN 2004			