

301

Vorster & Steyn  
Mitchell House  
16 Mitchell Street  
HERMANUS  
7200

Prepared by me

*H. Malherbe*  
CONVEYANCER  
Hendrik Malherbe Oosbruizen  
No 78695

Deeds Office Registration fees as per Act 47 of 1937		
	Amount	Office Fee
Purchase Price	R. 12 500 000,00	3 397,00
Reason for exemption	Category Exemption	Exemption i.o. SecReg Act/Proc

**VEREIND** **MORTEGAGE**

VIR  
FOR R 10 000 000,00

B000019566 / 2020-5

20 OCT 2020

*le*

DATA / CAPTURE  
10-11-2020  
DIPONTSHENG LEEUW

T 000034632 / 2020

### DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

Jacorine Alida Boooyens

appeared before me, REGISTRAR OF DEEDS at CAPE TOWN, the said appearer being duly authorised thereto by a Power of Attorney granted to him/her by

**ROBIN JAMES LAPPING**  
Identity Number 480825 5103 089  
Unmarried

which said Power of Attorney was signed at HERMANUS on 21 AUGUST 2020

DATA / VERIFY  
11-11-2020  
NOLUVO MTYATYAMBA

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And the appearer declared that his/her said principal had, on 28 July 2020, truly and legally sold by Private Treaty, and that he/she, the said Appearer, in his/her capacity aforesaid, did, by virtue of these presents, cede and transfer to and on behalf of:

**AEVITAS BELEGGINGS PROPRIETARY LIMITED**  
**Registration Number 1983/005288/07**

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

PORTION 57 OF THE FARM ROCKLANDS NO 633  
In the Overstrand Municipality  
Division of Caledon  
Western Cape Province

IN EXTENT 62,9675 (SIXTY TWO COMMA NINE SIX SEVEN FIVE) Hectares

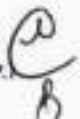
FIRST registered by Certificate of Consolidated Title No T99377/2004 with Diagram SG No. 1184/2004 annexed thereto and held by Deed of Transfer Number T28245/2011

- i. As regards the figure **ABCDN** on diagram SG No 1184/2004:
  - A. SUBJECT to such conditions as are referred to in Deed of Partition Transfer Number T4779/1944.
  - B. SUBJECT FURTHER to the servitude endorsement whereof dated 10 March 1932 appears on Deed of Transfer Number T 7696/1913, which reads as follows:

"By Deed of Transfer No 1387 dated 10 March 1932 a condition has been imposed whereby all water arising on the property thereby transferred shall be allowed to flow free and undisturbed on to the remainder held hereunder as will more fully appear on reference to the said Deed of Transfer."

- C. SUBJECT FURTHER to and entitled to the benefit of the following special conditions B as the case may be created by Arthur Wilkinson and Louie Elizabeth Steyn for their benefit and for the benefit of their successors in title, contained in Deed of Partition Transfer No T4779/1944, namely:

"(a) In respect of the water to which the farm Rocklands situate in the Division of Caledon was heretofore entitled out of the Rocklands Stream which flows over Portion 4 of the farm Rocklands, situate in the Division of Caledon, this day transferred (No 4778) and indicated on the diagram thereof No 1943/1943.



- (i) the said Portion 4 of the farm Rocklands situate as above, this day transferred (No 4778) shall be entitled to four and one half (4½ ) days water in each week; and
- (ii) the property hereby conveyed shall be entitled to two and one half (2½) days water in each week.

And shall be used as follows:

PORTION 4:

Monday from 6 a.m. to Tuesday 6 a.m.  
Wednesday from 6 a.m. to Friday 6 a.m.  
Saturday from 6 a.m. to Sunday 6 p.m.

REMAINING EXTENT:

Tuesday from 6 a.m. to Wednesday 6 a.m.  
Friday from 6 a.m. to Saturday 6 a.m.  
Sunday from 6 p.m. to Monday 6 a.m.

- (b) In respect of the water to which the farm Rocklands situate in the Division of Caledon was heretofore entitled out of the stream known as the Waterfall Stream which flows over the property hereby conveyed.
  - (i) Portion 4 of the farm Rocklands situate in the Division of Caledon this day transferred (No 4778) shall be entitled to two and one half (2 ½) days water in each week, and
  - (ii) The property hereby conveyed shall be entitled to four and one half (4 ½ ) days water in each week.

And shall be used as follows:

PORTION 4

Tuesday from 6 a.m. to Wednesday 6 a.m.  
Friday from 6 a.m. to Saturday 6 a.m.  
Sunday from 6 p.m. to Monday 6 a.m.

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REMAINING EXTENT

Monday from 6 a.m. to Tuesday 6 a.m.

Wednesday from 6 a.m. to Friday 6 a.m.

Saturday from 6 a.m. to Sunday 6 p.m.

- (c) The owner of Portion 4 of the farm Rocklands situate in the Division of Caledon this day transferred (No 4778) and his successors in title shall construct and maintain a Chamber for the division of the Rocklands Stream water and shall give the owner of the property hereby conveyed the right to build and maintain a furrow over his land with rights of access thereto and to the said Chamber.

In like manner the owner and her successors in title of the property hereby conveyed shall construct and maintain a Chamber for the division of the "Waterfall Stream" water and shall give to the owner and his successors in title of Portion 4 of the farm Rocklands situate as above, this day transferred (No 4778) the right to build and maintain a furrow over the property hereby conveyed with the right of access thereto and to the said Chamber."

- D. SUBJECT FURTHER to the endorsement dated 13<sup>th</sup> May 1965 on Deed of Partition Transfer No T 4779/1944, reading as follows:

"Remainder of 118.1830 morgen

By Deed of Transfer No T12289/65 dated this day Portion 16 in extent 10,0005 morgen held thereunder is entitled to 20 hours water week out of the Rocklands Stream, out of the water to which the Remainder of Rocklands held hereunder is entitled to; As will more fully appear on reference to the said Deed of Transfer."

- E. SUBJECT FURTHER to the endorsement dated 13<sup>th</sup> May 1965 on Deed of Partition Transfer No T4779/1944, which endorsement reads as follows:

"Remainder of 108.1825 morgen

By Deed of Transfer No T12290/1965 dated this day, Portion 17 in extent 9,9999 morgen held hereunder is entitled to 20 hours water per week out of the Rocklands Stream out of the water to which the Remainder of Rocklands held hereunder is entitled to; As will more fully appear on reference to said Deed of Transfer."

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- F. ENTITLED to the endorsement dated 13 May 1965 on said Deed of Partition Transfer No T4779/1944 reading as follows:

"Portion 16 = 10,0005 mgn transferred 13.5.1965 to LG Rousseau No 12289 Remainder 118,1830 mgn B without water right re Waterval Stream"

- G. ENTITLED FURTHER to the endorsement dated 13 May 1965 on said Deed of Partition Transfer No T 4779/1944 reading as follows:

"Portion 17 = 9,9999 mgn transferred 13.5.1965 to JE Fiederman bn Crozier M O C P No 12290 Remainder 108.1831 mgn without water rights re Waterval Stream".

- H. SUBJECT FURTHER to the following endorsement dated 7<sup>th</sup> February 1977, on said Deed of Partition Transfer No T4779/1944, which endorsement reads as follows:

"By Notarial Deed No K0078/1977S, the property held hereunder is subject to a right in favour of the Electricity Supply Commission to convey electricity thereover together with ancillary rights and subject to conditions as will more fully appear from reference to the said Notarial Deed, grosse whereof is annexed hereto."

(as qualified by the undermentioned Notarial Deed No K741/85S B see condition J below).

- I. SUBJECT FURTHER to the terms of a servitude referred to in an endorsement dated 20 March 1985 on said Deed of Partition Transfer No T4779/1944, reading as follows:

"By Notarial Deed of Servitude No K278/85S dated 21-12-1984 the owners and their successors in title the within property is entitled to construct weirs, structures, furrows, canals and pipelines necessary for the purpose of collecting water from the Stream flowing over Rem of the Farm 632 meas. 135,8058 ha held by T14044/1939 which stream transverses the lines ab and BA on diagram B487/1836 Deed of Grant 19-5-1836 Swellendam Quits Vol 11 No 12 with Ancillary Rights. As will more fully appear from said No Deed."

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J. SUBJECT FURTHER to the terms of the following endorsement dated 8 July 1985 on Deed of Transfer No T10163/1985 namely:-

"By Notarial Deed No K741/85S the Power Line Routes in favour of Escom over within mentioned property held hereunder, have been defined, as will more fully appear from said Notarial Deed."

K. SUBJECT FURTHER to the terms of the following endorsement dated 28 October 1986 on Deed of Transfer No T10163/1985 namely:-

\*Remainder

By Deed of Transfer No T42042/86. The within property is entitled to:

1. The reservation of a servitude right of way 9,44 metres wide over Portion 21 of the farm Rocklands No 633. The eastern boundary of which servitude right of way is represented by the line XB on diagram No SG8581/59 annexed to the above mentioned Deed of Transfer.
2. The reservation of a servitude right of way 5 metres wide over portion 21 of the farm Rocklands No 633, the line A,B representing the southern boundary and the lines B,C and C.f. up to the junction of the public road representing the boundary of the servitude right of way on servitude diagram No 11478/85 annexed to the above mentioned Deed of Transfer.
3. The reservation of a servitude right of way 5 metres wide over Portion 23 of the farm Rocklands No 633 the southern boundary of which servitude right of way is represented by the line A.B. on servitude diagram No 11479/85 annexed to the above mentioned Deed of Transfer.

L. ENTITLED to a praedial servitude, as set out in Notarial Deed of Praedial Servitude No K360/02S over:

1. Portion 21 of farm Rocklands 633, measuring 8,6428 hectares, held by Deed of Transfer No T120244/1998;

2. Portion 23 of the farm Rocklands 633, measuring 8,5654 hectares, held by Deed of Transfer No T120245/1998;

In order to facilitate the unrestricted flow of water from the stream known as "The Waterfall Stream" and to construct a weir not to exceed 225 metres in extent and the width of the furrows shall not exceed 15 metres as indicated on diagram SG No 1944/43 annexed to Deed of Transfer No T4779/1944, subject to certain conditions as more fully set out in the said Notarial Deed.

II. As regards the figure **MxJKL** on diagram SG No 1184/2004

A. SUBJECT to such conditions as are referred to in Deed of Partition Transfer No T4779/1944,

B. SUBJECT FURTHER to the servitude endorsement whereof dated 10 March 1932 appears on said Deed of Transfer No T7696/1913, which reads as follows:

"By Deed of Transfer No 1387 dated 10 March 1932 a condition has been imposed whereby all water arising on the property thereby transferred shall be allowed to flow free and undisturbed on to the remainder held hereunder as will more fully appear on reference to the said Deed of Transfer."

C. SUBJECT FURTHER to and entitled to the benefit of the following special conditions – as the case may be – created by Arthur Wilkinson and Louie Elizabeth Steyn for their benefit and for the benefit of their successors in title, contained in Deed of Partition Transfer No T4779/1944, namely:-

(a) In respect of the water to which the farm Rocklands situate in the Division of Caledon was heretofore entitled out of the Rocklands Stream which flows over Portion 4 of the farm Rocklands, situate in the Division of Caledon, this day transferred (No 4778) and indicated on the diagram thereof No 1943/1943.

(i) The said Portion 4 of the farm Rocklands situate as above, this day transferred (No 4778) shall be entitled to four and one half (4 ½) days water in each week; and

- (ii) the property hereby conveyed shall be entitled to two and one half (2 ½) days water in each week.

And shall be used as follows:

PORTION 4:

Monday from 6am to Tuesday 6am, Wednesday from 6am to Friday 6am, Saturday from 6 am to Sunday 6 p.m.

REMAINING EXTENT

Tuesday from 6 am to Wednesday 6 am, Friday from 6 am to Saturday 6 am, Sunday from 6 pm to Monday 6 am.

- (b) in respect of the water to which the farm Rocklands situate in the Division of Caledon was heretofore entitled out of the stream known as the "Waterfall Stream" which flows over the property hereby conveyed.
- (i) Portion 4 of the farm Rocklands situate in the Division of Caledon this day transferred (No 4778) shall be entitled to two and one half (2 ½) days water in each week; and
- (ii) the property hereby conveyed shall be entitled to four and one half (4 ½) days water in each week.

And shall be used as follows:

PORTION 4:

Tuesday from 6 am to Wednesday 6 am, Friday from 6 am to Saturday 6 am, Sunday from 6 pm to Monday 6 am.

REMAINING EXTENT:

Monday from 6 am to Tuesday 6 am, Wednesday from 6 am to Friday 6 am, Saturday from 6 am to Sunday 6 pm.

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- (c) The owner of Portion 4 of the farm Rocklands situate in the Division of Caledon this day transferred (No 4778) and his successors in title shall construct and maintain a Chamber for the division of the Rocklands Stream water and shall give the owner of the property hereby conveyed the right to build and maintain a furrow over his land with right of access thereto and to the said Chamber.

In the like manner the owner and her successors in title of the property hereby conveyed shall construct and maintain a Chamber for the division of the "Waterfall Stream" water and shall give to the owner and his successors in title of Portion 4 of the farm Rocklands situate as above, this day transferred (No 4778) the right to build and maintain a furrow over the property hereby conveyed with the right of access thereto and to the said Chamber."

- D. SUBJECT FURTHER to the endorsement dated 13<sup>th</sup> May 1965 on Deed of Partition Transfer No T4779/1944, reading as follows:

Remainder of 118.1830 morgen

"By Deed of Transfer No T12289/65 dated this day Portion 16 in extent 10,0005 morgen held thereunder is entitled to 20 hours water per week out of the Rocklands Stream, out of the water to which the Remainder of Rocklands held hereunder is entitled to; as will more fully appear on reference to the said Deed of Transfer."

- E. SUBJECT FURTHER to the endorsement dated 13<sup>th</sup> May 1965 on Deed of Partition Transfer No T4779/1944, which endorsement, reads as follows:

Remainder 108.1825 morgen

"By Deed of Transfer No T12290/1965 dated this day, Portion 17 in extent 9,9999 morgen held thereunder is entitled to 20 hours water week out of the Rocklands Stream out of the water to which the Remainder of Rocklands held hereunder is entitled to; as will more fully appear on reference to the said Deed of Transfer."

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- F. ENTITLED to the endorsement dated 13 May 1965 on said Deed of Partition Transfer No T4779/1944 reading as follows:

"Portion 16 = 10,0005 morgen transferred to LG Rousseau No 12289  
Remainder 118,1830 morgen – without water rights re Waterval Stream"

- G. ENTITLED FURTHER to the endorsement dated 13 May 1965 on Deed of Partition Transfer T4779/1944, which endorsement reads as follows:

"Portion 17 = 9,9999 morgen transferred 13<sup>th</sup> May 1965 to J E Fiederman bn  
Crozier M O C P No 12290 Remainder 108.1831 morgen without water rights  
re Waterval Stream..

- H. SUBJECT FURTHER to the endorsement dated 7<sup>th</sup> February 1977, on said Deed of Partition Transfer No 4779/1944, which endorsement reads as follows:

"By Notarial Deed No K0078/1977S, the property held hereunder is subject to a right in favour of the Electricity Supply Commission to convey electricity thereover together with ancillary rights and subject to conditions as will more fully appear from reference to the said Notarial Deed, grosse whereof is annexed hereto."

- I. SUBJECT FURTHER to the terms of a servitude referred to in an endorsement dated 20<sup>th</sup> March 1985 on said Deed of Partition Transfer No T4779/1944, reading as follows:

"By Notarial Deed of Servitude No K278/85S dated 21<sup>st</sup> December 1984 the owners and their successors in title to the within property is entitled to construct weirs, structures, furrows, canals and pipelines necessary for the purpose of collecting water from the Stream flowing over Rem of the Farm 632 mess. 135,8058 ha held by T14044/1939 which stream transverses the lines ab and BA on diagram B487/1836 Deed of Grant 19-5-1836 Swellendam Quits Vol 11 No 12 with Ancillary Rights.

As will more fully appear from said Not. Deed."

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J. SUBJECT FURTHER to the terms of the following endorsement dated 28 October 1986 on Deed of Transfer No T10163/1985 namely:

\*Remainder

By Deed of Transfer No T42042/86. The within property is entitled to:

1. The reservation of a servitude right of way 9,44 metres wide over Portion 21 of the farm Rocklands No 633. The eastern boundary of which servitude right of way is represented by the line XB on diagram No SG8581/59 annexed to the abovementioned Deed of Transfer.
2. The reservation of a servitude right of way 5 metres wide over portion 21 of the farm Rocklands No 633, the line A, B representing the southern boundary and the lines B, C, and C.f. up to the junction of the public road representing the eastern boundary of the servitude right of way on servitude diagram No 11478/85 annexed to the abovementioned Deed of Transfer.
3. The reservation of a servitude right of way 5 metres wide over Portion 23 of the farm Rocklands No 633 the southern boundary of which servitude right of way is represented by the line A.B. on servitude diagram No 11479/85 annexed to the above mentioned Deed of Transfer.

K. SUBJECT FURTHER to the following conditions contained in Deed of Transfer No T31787/200 imposed by the Divisional Council at Caledon as the controlling authority in terms of Section 11(6) of Act No 21 of 1940, when approving of the subdivision of the Remainder of the farm Rocklands No 633:

1. The land may not be subdivided without the written approval of the Controlling Authority as defined in Act No 21 of 1940.
2. Not more than one dwelling house together with such outbuildings as are ordinarily required to be used in connection therewith, shall be erected on the land except with the written approval of the Controlling Authority as defined in Act No 21 of 1940.

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3. The land shall be used for residential and agricultural purposes only, and no store or place of business or industry whatsoever, may be opened or conducted on the land without the written approval of the Controlling Authority as defined in Act No 21 of 1940.
4. No building or any structure whatsoever, shall be erected within a distance of 94,45 (ninety four comma four five) metres from the centre of the Controlling Authority, as defined in Act No 21 of 1940.

L. SUBJECT FURTHER that the within property was sold and must be transferred without any rights to water and the transferee and its successors in title shall accordingly not be entitled to any rights, which rights and water are hereby reserved and shall remain vested in the transferor as the registered owner of the Remainder of the land registered in its name under Certificate of Registered Title No T31787/2002, namely

The remainder of portion 18 of the farm Rocklands No 633, in the Overstrand Municipality, Division of Caledon, Western Cape Province.

M. SUBJECT FURTHER to the following conditions contained in Deed of Transfer No T99376/2004 imposed by the controlling authority in terms of Section 11(6) of Act No 21 of 1940, when approving of the subdivisions, which read as follows:

1. Following the subdivision and consolidation the land unit thereby formed and abutting Trunk Road 28 on the northern side thereof is to have only one direct access to the Trunk Road namely at the point marked X on your plan, this being at the common boundary between the Remainders of Portions 18 and 22 respectively. Any other existing accesses along the northern side of the Trunk Road are to be closed.
2. The abovementioned new access is to conform to the following standard conditions, namely:
  1. The applicant shall bear all costs in connection with the proposal;

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2. All work shall be carried out under the supervision and to the satisfaction of the District Roads Engineer concerned.
3. The proposed access may be altered or shifted at the applicants cost should the road authority deem it necessary at some future date.
4. Where the proposed access is provided with a swing gate, such swing gate shall be kept properly closed when the access is not in use.
5. Should a grid gate be erected alongside a swing gate, attention is drawn to the fact that a grid gate is a "structure" which in terms of Section 17 of Ordinance 19 of 1976 may not be erected closer than 5 metres from the boundary of the statutory width of the proclaimed road.
6. The gate should be erected outside the 5 metre building line, preferably at a distance of 15 metres from the boundary of the statutory road width, with a 45 funnel from the said boundary to the gate and bell mouth with 15 metre radii to allow for easy turning movements by vehicles.
7. The bell mouth at the access should be provided with a gravel surface and if maintenance problems occur the bell mouth shall be provided with a permanent surface.
8. The bell mouth and the access shall be provided with a permanent surface.
9. Side drainage shall be installed at the bell mouth if considered necessary.
10. The applicant and/or owner must undertake in writing that-

10.1 Where the applicant is not the legal owner, power of attorney from the legal owner shall be obtained.

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- 10.2 Where any work has to be carried out departmentally in this connection for the applicants account, the applicant shall furnish the District Roads Engineer with a cheque for the estimated cost of the work, made out to the Provincial Roads Engineer. Such estimate will be subject to adjustment either way when the final cost is known.
- 10.3 The applicant and/or owner will not hold the controlling authority/road authority responsible or liable for any costs incurred or any loss suffered in the event of such controlling authority/road authority directing, for any reason whatsoever, the erecting, the shifting or the closing of the said access and access road within the statutory width of a public road or within a distance of ninety-five (95) metres from the centre line of such proclaimed road.
- 10.4 The applicant and/or owner must indemnify the controlling authority/road authority against all claims of whatever nature, including legal costs, by any person, including the applicant and/or owner, originating from or as a result of the failure of the applicant and/or owner to maintain or safeguard properly the said access, and
- 10.5 The applicant and/or owner accept the aforementioned conditions contained in the covering letter.
11. The work may only be carried out provided the foregoing conditions, where applicable, are accepted in full provided all the prescriptions, requirements and obligations which the controlling authority/road authority might impose in connection with the work along the road/roads, are accepted and complied with.

Handwritten initials: a stylized 'A' or 'B' with a flourish, and a smaller 'B' below it.

Handwritten mark: a small, stylized symbol or mark.

The belmouth is to be provided with a permanent surface, at least up to the entrance gate or structure and shall cross over the side drain by means of a concrete pipe, 450 mm diameter and of adequate length. The permanent surface would normally be bitumenised but details must be forwarded to this office for consideration should any other type of surfacing be preferred.

3. Two large pine trees within the road reserve that will be found to be within the area of the bellmouth may be removed by the applicant who shall take all measures necessary for the safety and convenience of passing traffic and shall be responsible for whatever may occur during the process of removal.
4. This approval is further subject to the property being used for bona fide farming purposes which includes the erection of a farm dwelling house and any other structure in connection therewith and will lapse if not acted upon within 12 months from the date of this letter.
5. No work may be carried out within the reserve of the Trunk Road without prior arrangement with this office and all such work must be to the satisfaction of this office.

III. As regards the figure xEFGHJ on diagram SG No 1184/2004.

- A. SUBJECT to such conditions referred to in Deed of Partition Transfer No T4779/1944,
- B. SUBJECT FURTHER to the servitude endorsement whereof dated 10 March 1932 appears on said Deed of Transfer No T7696/1913, which reads as follows:

"By Deed of Transfer No 1387 dated 10 March 1932, a condition has been imposed whereby all water arising on the property thereby transferred shall be allowed to flow free and undisturbed on to the remainder held hereunder as will more fully appear on reference to the said Deed of Transfer."

C. SUBJECT FURTHER to and entitled to the benefit of the following special conditions – as the case may be – created by Arthur Wilkinson and Louie Elizabeth Steyn for their benefit and for the benefit of their successors in title, contained in Deed of Partition Transfer No T 4778/1944, namely:

(a) In respect of the water to which the farm Rocklands situate in the Division of Caledon was heretofore entitled out of the Rocklands Stream which flows over Portion 4 of the farm Rocklands, situate in the Division of Caledon, this day transferred (No 4778) and indicated on the diagram thereof No 1943/1943, namely:

- (i) the said Portion 4 of the farm Rocklands situate as above, this day transferred (No 4778) shall be entitled to four and one half ( $4 \frac{1}{2}$ ) days water in each week; and
- (ii) the property hereby conveyed shall be entitled to two and one half ( $2 \frac{1}{2}$ ) days water in each week.

And shall be used as follows:

PORION 4:

Monday from 6 am to Tuesday 6 am  
Wednesday from 6 am to Friday 6 am,  
Saturday from 6 am to Sunday 6 pm.

REMAINING EXTENT:

Tuesday from 6 am to Wednesday 6 am,  
Friday from 6 am to Saturday 6 am,  
Sunday from 6 pm to Monday 6 am.

(b) in respect of the water to which the farm Rocklands situate in the Division of Caledon was heretofore entitled out of the stream known as the "Waterfall Stream" which flows over the property hereby conveyed.

- (i) Portion 4 of the farm Rocklands situate in the Division of Caledon this day transferred (No 4778) shall be entitled to two and one half ( $2 \frac{1}{2}$ ) days water in each week, and

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- (ii) the property hereby conveyed shall be entitled to four and one half (4 ½) days water in each week.

And shall be used as follows:

PORTION 4:

Tuesday from 6 am to Wednesday 6 am,  
Friday from am to Saturday 6 am,  
Sunday from 6 pm to Monday 6 am.

REMAINING EXTENT

Monday from 6 am to Tuesday 6 am  
Wednesday from 6 am to Friday 6 am  
Saturday from 6 am to Sunday 6 pm

- (c) The owner of Portion 4 of the farm Rocklands situate in the Division of Caledon this day transferred (No 4778) and his successors in title shall construct and maintain a Chamber for the division of the Rocklands Stream water and shall give the owner of the property hereby conveyed the right to build and maintain a furrow over his land with right of access thereto and to the said Chamber.

In like manner the owner and her successors in title of the property hereby conveyed shall construct and maintain a Chamber for the division of the "Waterfall Stream" water and shall give to the owner and his successors in title of Portion 4 of the farm Rocklands situate as above, this day transferred (No 4778) the right to build and maintain a furrow over the property hereby conveyed with the right of access thereto and to the said Chamber."

- D. SUBJECT FURTHER to the endorsement dated 13<sup>th</sup> May 1965 on Deed of Partition Transfer No T4779/1944, reading as follows:

Remainder of 118,1830 morgen

"By Deed of Transfer No T12289/65 dated this day Portion 16 in extent 10,0005 morgen held thereunder is entitled to 20 hours water per week out of the Rocklands Stream, out of the water to which the Remainder of Rocklands held hereunder is entitled to; as will more fully appear on reference to the said Deed of Transfer."

- E. SUBJECT FURTHER to the endorsement dated 13<sup>th</sup> May 1965 on Deed of Partition Transfer No T4779/1944, which endorsement, reads as follows:

Remainder 108,1825 morgen

"By Deed of Transfer No T12290/1965 dated this day, Portion 17 in extent 9,9999 morgen held thereunder is entitled to 20 hours water per week out of the Rocklands Stream out of the water to which the Remainder of Rocklands held hereunder is entitled to; as will more fully appear on reference to the said Deed of Transfer."

- F. ENTITLED to the endorsement dated 13 May 1965 on said Deed of Partition Transfer No T4779/1944 reading as follows:

"Portion 16 = 10,0005 morgen transferred to LG Rousseau No 12289 Remainder 118,1830 morgen – without water rights re Waterval Stream."

- G. ENTITLED FURTHER to the endorsement dated 13 May 1965 on Deed of Partition Transfer T4779/1944, which endorsement reads as follows:

"Portion 17 = 9,9999 morgen transferred 13<sup>th</sup> May 1965 to J E Flederman bn Crozier M O C P No 12290 Remainder 108.1831 morgen without water rights re Waterfall Stream."

- H. SUBJECT FURTHER to the endorsement dated 7<sup>th</sup> February 1977, on said Deed of Partition Transfer No T4779/1944, which endorsement reads as follows:

"By Notarial Deed No K0078/1977S, the property held hereunder is subject to a right in favour of the Electricity Supply Commission to convey electricity thereover together with ancillary rights, and subject to conditions as will more fully appear from reference to the said Notarial Deed, grosse whereof annexed hereto."

(as qualified by the undermentioned Notarial Deed No K741/85S – see conditions J below).

LN

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- I. SUBJECT FURTHER to the terms of a servitude referred to in an endorsement dated 20<sup>th</sup> March 1985 on said Deed of Partition Transfer No T4779/1944, reading as follows:

"By Notarial Deed of Servitude No K278/85S dated 21<sup>st</sup> December 1984 the owners and their successors in title to the within property is entitled to construct weirs, structures, furrows, canals and pipelines necessary for the purpose of collecting water from the Stream flowing over Rem of the Farm 632 meas. 135,8058 ha held by T14044/1939 which stream transverses the lines ab and BA on diagram B487/1836 Deed of Grant 19-5-1836 Swellendam Quits Vol 11 No 12 with Ancillary Rights.

As will more fully appear from said Not. Deed."

- J. SUBJECT FURTHER to the terms of the following endorsement dated 28 October 1986 on Deed of Transfer No T10163/1985 namely:

"Remainder

By Deed of Transfer No T42042/86. The within property is entitled to:

1. The reservation of a servitude right of way 9,44 metres wide over Portion 21 of the farm Rocklands No 633. The eastern boundary of which servitude right of way is represented by the line XB on diagram No SG8581/59 annexed to the abovementioned Deed of Transfer.
2. The reservation of a servitude right of way 5 metres wide over portion 21 of the farm Rocklands No 633, the line A, B representing the southern boundary and the lines B, C, and C.f. up to the junction of the public road representing the eastern boundary of the servitude right of way on servitude diagram No 11478/85 annexed to the abovementioned Deed of Transfer.
3. The reservation of a servitude right of way 5 metres wide over Portion 23 of the farm Rocklands No 633 the southern boundary of which servitude right of way is represented by the line A.B. on servitude diagram No 11479/85 annexed to the above mentioned Deed of Transfer.

57



K. SUBJECT FURTHER to the terms of the following endorsement dated 28 October 1986 on Deed of Transfer No T10163/1985 namely:

"Remainder

By Deed of Transfer No T42042/86. The within property is entitled to:

1. The reservation of a servitude right of way 9,44 metres wide over Portion 21 of the farm Rocklands No 633. The eastern boundary of which servitude right of way is represented by the line XB on diagram No SG8581/59 annexed to the abovementioned Deed of Transfer.
2. The reservation of a servitude right of way 5 metres wide over portion 21 of the farm Rocklands No 633, the line A, B representing the southern boundary and the lines B, C, and C.f. up to the junction of the public road representing the eastern boundary of the servitude right of way on servitude diagram No 11478/85 annexed to the abovementioned Deed of Transfer.
3. The reservation of a servitude right of way 5 metres wide over Portion 23 of the farm Rocklands No 633 the southern boundary of which servitude right of way is represented by the line A.B. on servitude diagram No 11479/85 annexed to the above mentioned Deed of Transfer.

L. SUBJECT FURTHER to the following conditions contained in Deed of Transfer No T31787/2002 imposed by the Divisional Council at Caledon as the controlling authority in terms of Section 11(6) of the Act No 21 of 1940, when approving of the subdivision of the Remainder of the farm Rocklands No 633:

1. The land may not be subdivided without the written approval of the Controlling Authority as defined in Act No 21 of 1940.
2. Not more than one dwelling house together with such outbuildings as are ordinarily required to be used in connection therewith, shall be erected on the land except with the written approval of the Controlling Authority as defined in Act No 21 of 1940.

Handwritten marks: a circled 'C' and a 'P'.

Handwritten mark: a 'B'.

3. The land shall be used for residential and agricultural purposes only, and no store or place of business or industry whatsoever, may be opened or conducted on the land without the written approval of the Controlling Authority as defined in Act No 21 of 1940.
4. No building or any structure whatsoever, shall be erected within a distance of 94,45 (ninety four comma four five) metres from the centre of the Controlling Authority, as defined in Act No 21 of 1940.

M. SUBJECT FURTHER that the within property was sold and must be transferred without any rights to water and the transferee and its successors in title shall accordingly not be entitled to any rights, which rights and water are hereby reserved and shall be remain vested in the transferor as the registered owner of the Remainder of the land registered in its name under Certificate of Registered Title No T31787/2002, namely

The remainder of portion 22 of the farm Rocklands No 633 in the Overstrand Municipality, Division of Caledon, Western Cape Province.

N. SUBJECT FURTHER to the following conditions contained in Deed of Transfer No T99376/2004 imposed by the controlling authority in terms of Section 11(6) of Act No 21 of 1940, when approving of the subdivisions, which reads as set out under Component II M above,

O. BY virtue of Notarial Deed of Servitude K180/2006 dated 25 January 2006 the within property is now subject to the following servitudes in favour of Eskom Holding No 2002/015527/06:

- A. a perpetual servitude of electric power transmission 22 metres wide to convey electricity across the property by means of 1 (one) overhead power line.
- B. a perpetual servitude for telecommunications substantially along the route referred to in A above with ancillary rights.

As will more fully appear from the said Notarial Deed.

LS



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

**ROBIN JAMES LAPPING, Unmarried**

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

**AEVITAS BELEGGINGS PROPRIETARY LIMITED**  
**Registration Number 1983/005288/07**

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 R12 500 000,00 (TWELVE MILLION FIVE HUNDRED THOUSAND 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 CAPE TOWN on

28/10/2020

q.q.

In my presence

REGISTRAR OF DEEDS

a

CR

1 18/11/2020 00:00:00



**Transfer Duty Declaration**

QB

**TDREP**

**Reference Details**

Transfer Duty Reference Number: TDE03CC2DC

**Details**

Details of Seller / Transferor / Time Share Company	
Surname / Registered Name LAPPIN	Full Name ROBIN JAMES
ID Number 480028110001	Date of Birth (CCYYMMDD) 1940-08-25
Company / CC / Trust Reg No.	Marital Status NOT MARRIED
Details of Purchaser / Transferee	
Full Name AEVITAS BELEDINGS PROPRIETARY LIMITED	Surname / Registered Name AEVITAS BELEDINGS PROPRIETARY LIMITED
Company / CC / Trust Reg No. 18000328807	Marital Status if applicable
Details of the Property	
Date of Transaction/Acquisition (CCYYMMDD) 2020-07-28	Total Fair Value R 1200000.00
	Total Consideration R 1200000.00
Calculation of Duty and Penalty / Interest	
Transfer Duty Payable as Natural Person R 1200000.00	
Property Description	
1 PORTION B1 OF THE FARM ROCKLANDS NO 833 in the Overstrand Municipality, Division of Caledon, Western Cape Province IN EXTENT 62,9672 (SIXTY TWO COMMA NINE SIX SEVEN [7NS]) Hectares	

**Receipt**

Receipt Details	
Transfer Duty Reference Number TDE03CC2DC	Receipt No. 1200703603
Receipt Amount R 1201000.00	

**Declaration by Conveyancer / Attorney**

I certify that this is a true copy of the transfer duty declaration / receipt / exemption certificate drawn from the SARS eFiling site, which will be retained by me for 5 years from the date of registration of transfer.

JACORINE ALIDA BOOYENS

XXXXXXXXXXXXXXXXXXXX  
XXXXXXXXXXXXXXXXXXXX

Please ensure you sign over the 2 lines of X's above

9946966202285586500  
4267725560306071

Date (CCYYMMDD) **20201002**

For originals go to  
www.sars.gov.za or call  
1800 00 SARS (7217)