

AND the said Appearer declared that his Principal had, on 13th MAY 1993, truly and legally sold, and that he, the said Appearer, in his capacity aforesaid, did, by these presents, cede and transfer in full and free property to and on behalf of:

**THE TRUSTEES FOR THE TIME BEING OF
THE GLEN BARRY TROUCHET TRUST
NO. 736/88**

its Administrators or Assigns, the following property, namely:

**ERF 4262 KNYSNA
IN THE MUNICIPALITY AND DIVISION OF KNYSNA;

IN EXTENT : 8 238 (EIGHT THOUSAND TWO
HUNDRED AND THIRTY EIGHT) SQUARE METRES;**

FIRST TRANSFERRED by Deed of Transfer No. T9516/1975 with Diagram No. 7385/74 relating thereto and held by Deed of Transfer No. T28540/1991.

- A. SUBJECT to the conditions referred to in Deed of Transfer No. T26447/1970.
- B. SUBJECT FURTHER to the following special conditions imposed by the Board of Trustees of the Diocese of Cape Town for their benefit and as owners of the remainder of the Farm Eastford (of which the aforesaid erf forms portion), held by Certificate of Amended Title No. T3598/1926 and contained in Deed of Transfer No. T1060/1933, namely :-
1. This lot shall be used purely for residential and/or agricultural and/or horticultural and/or farming purposes.

2. The Transferee shall not have the right to erect on this Lot any building or structure for the purpose of a Hospital, College, School, or Church of any nature or kind, whether its purposes are religious or educational, nor shall the said lot or any building or structures be used as an establishment for the purpose of teaching, training or instruction of individuals in education or religious subjects.
3. That the Transferee shall not have the right to erect on this Lot any premises for the purpose of a Boarding House, Boarding School (or Boarding Establishment of any kind) or for the purpose of a hotel, bar, bottle store, canteen, shop, store or trading of any kind nor shall such like business or any trade be carried on and upon the said lot.
4. In the event of the Transferee deciding to erect any structure upon this lot, he shall be bound first to erect a residence - exclusive of the value of any outbuildings and/or outhouses to the cost value of not less than R1 000,00.
5. Notwithstanding that the Transferee may have erected a dwelling to the value of R1 000,00 as in the last preceding paragraph provided, he shall not have the right to erect any structure upon the said Lot for the purpose of human habitation, except it be a proper dwelling which, exclusive of the value of outbuildings and/or outhouses - is of a cost value of not less than R1 000,00; provided, however,
 - (a) That in the case of any structure or structures already existing on the lot at the date of sale, the transferee shall not have the right to use the same for the purpose of human habitation, until he shall first have obtained the consent thereto in writing of the said Board of Trustees of the Diocese of Cape Town or or its Agent, the Knysna, Belvidere and Formosa Church Property Board.
 - (b) That any dwelling or structure erected for the purpose of housing any bona fide servants and/or employees, whose services are wholly employed by the Transferee on, or in connection with the purposes for which this lot is sold, shall be exempt from this condition.
6. Any structure erected on this Lot for the purpose of human habitation shall be built of brick, concrete, stone or some other equally substantial building material.
7. The Transferee shall not be entitled to claim against the said Board of Trustees of the Diocese of Cape Town as owners of the remaining extent for the time being of the farm Eastford for any contribution, compensation or to make any claim whatever in respect of the construction, erection or maintenance of any gates or fences, whether presently existing on any boundary line of the said Lot hereby transferred which may in future be erected by the said Transferee on any boundary of the said Lot.

8. The terms Transferee and Transferor (i.e. the Board of Trustees of the Diocese of Cape Town) shall be deemed to include the Heirs, Administrators, Executors, Assigns or Successors in Title or Office of the respective parties.

C. SUBJECT FURTHER to the following conditions imposed by the Administrator in terms of Section 2(1) of Act 84/1967 created in Deed of Transfer No. T9516/1975 namely :

- (a) This erf shall be used solely for the purpose of erecting thereon one dwelling or other buildings for such purposes as the Administrator may from time to time after reference to the Townships Board and the Local Authority, approve, provided that if the erf is included within the area of a Town Planning Scheme, the Local Authority may permit such other buildings as are permitted by the scheme subject to the conditions and restrictions stipulated by the scheme.
- (b) No building or structure or any portion thereof except boundary walls and fences, shall except with the consent of the Administrator, be erected nearer than 5 metres to the street line which forms a boundary of this erf, nor within 3 metres of the rear or 1,5 metres of the lateral boundary common to any adjoining erf, provided that with the consent of the local authority -
- (i) an outbuilding used solely for the housing of motor vehicles and not exceeding 3 metres in height, measured from the ground floor of the outbuilding to the wall-plate thereof, may be erected within such side and rear spaces, and any other outbuilding of the same height may be erected within the rear space and side space for a distance of 12 metres measured from the rear boundary of the erf, provided that in the case of a corner erf the distance of 123 metres shall be measured from the point furthest from the streets abutting the erf;
- (ii) an outbuilding in terms of sub-paragraph (i) may only be erected nearer to a lateral or rear boundary of a site than the above prescribed spaces, if no windows or doors are inserted in any wall facing such boundary.
- (c) On consolidation of this erf or any portion thereof with any abutting erf which is subject to the same conditions as herein set forth, these conditions shall apply to the consolidated holding as if it were one erf.
- (d) In the event of this erf being subdivided each subdivided portion, other than any portion deducted for road, public place or similar purposes, shall be subject to the conditions herein set forth as if it were the original erf.

D. SUBJECT FURTHER to the following conditions imposed by the Administrator of the Cape Province in terms of Ordinance No. 33 of 1934, when approving of the subdivision of Erf 1508 KNYSNA and contained in Deed of Transfer No. T9516/1975, namely :-

1. The owner of this erf shall, without compensation, be obliged to allow electricity cables and/or wires and main and/or other waterpipes 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.
2. 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 retaining walls to the satisfaction of and within a period to be determined by the local authority.

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

LINDA CAROL THOMSON


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

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its 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 purchase price to be the sum of R472 000,00 (FOUR HUNDRED AND SEVENTY TWO 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, in CAPE TOWN, on the 17th day of June 1993


q.q.

In my presence


REGISTRAR OF DEEDS

