



Ref No. 060523000109



Account no : 320246604

Account Name : JOHNSTONE D & JOHNSTONE AC

Account Name : ERF 1943 KNYSNA

Bond Type : LOAN 1



ORIGINAL

Title Deed

C J BALLAN INCORPORATED
23 LONG STREET
KNYSNA
6570

Prepared by me

FEE
R... 800,00

DATA VERIFY
13 FEB 2006
DE VILLIERS A

CONVEYANCER
KRUGER M

VERBOD MORTGAGED
VIR FOR R. 2 700 000,00
B 100000521 / 2005
04 JAN 2006
REGISTRAR/REGISTRAR

T 100000521 / 2005

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT EDUAN SELWYN MILNER
~~REUBEN CHARLES SHAER~~

YAM

appeared before me, REGISTRAR OF DEEDS, at CAPE TOWN, the said
appearer being duly authorised thereto by a Power of Attorney which said Power
of Attorney was signed at KNYSNA on 12 October 2005 granted to him by

ROBERT COURT KNUPPE
Identity Number 481213 5080 087
Married out of community of property

DATA VERIFY
C3 FILE 508

And the appearer declared that his said principal had, on 3 September 2005, truly and legally sold by Private Treaty, and that he, the said Appearer, in his capacity aforesaid, did, by virtue of these presents, cede and transfer to and on behalf of:

1. **ANDREW CLIFFORD JOHNSTONE**
Identity Number 590208 5007 088
Married out of community of property
2. **DIANE JOHNSTONE**
Identity Number 610426 0110 089
Married out of community of property

their Heirs, Executors, Administrators or Assigns, in full and free property

ERF 1943 KNYSNA
IN THE MUNICIPALITY AND DIVISION OF KNYSNA, PROVINCE OF
THE WESTERN CAPE;

IN EXTENT 686 (SIX HUNDRED AND EIGHTY SIX) SQUARE METRES

FIRST transferred by Deed of Transfer No. T2224/1962 with Diagram No. 28/1962 relating thereto and held by Deed of Transfer No. T79946/2005.

- A. **SUBJECT** to the conditions referred to in Deed of Transfer No. T3774/1933.
- B. **SUBJECT FURTHER** to the following conditions contained in Deed of Transfer No. T2224/1962 and imposed by and in favour of the late G.W. Cearn – with the consent of the Administrator – as owner of the remaining extent of Leisure Isle held under Certificate of Consolidated Title No. T5131/1937 and his successors in title thereto, namely:
 1. No structure or other building shall be erected by the Transferee on this erf before a dwelling house is erected of the value of not less than R4 000,00. Any such dwelling house or other structure to be erected must be constructed of bricks, stones, concrete or of such material as the Transferor may in his entire discretion and in writing permit.
 2. The Transferee shall not keep on the erf any live goat, pig, ox, bull, cow, sheep or donkey, without the permission of the Transferor first had and obtained.
 3. The Transferee shall not erect any corrugated iron fence or screen on this erf without the permission of the Transferor first had and obtained.
 4. That this erf shall not be used for the burial of night soil.

(The terms "Transferor" and "Transferee" in the above conditions 1, 2, 3 and 4 shall be deemed to include their successors in title, heirs, executors, administrators or assigns.)
- C. **SUBJECT FURTHER** to the following conditions imposed by the Administrator under the Township Ordinance No 13 of 1927 as being in



favour of the registered owner of any erf in the Leisure Isle Township and contained in said Deed of Transfer No. T2224/1962 namely:

- (a) That the erf be used for residential purposes only except Erven 47, 48, 49, 50, 51, 53, 55, 57, 59, 60, 201, 202, 203, 206, 212, 213, 214, 215, 216 and 217, which may be used for business purposes, and Erf 359 which may be used for hotel purposes, but if not so used it may be subdivided into residential erven subject to the approval of the Administrator – any such subdivision to allow of the roadway along the sea front being continued through the erf.
- (b) That not more than one dwelling, together with the necessary outbuildings, and appurtenances be erected on any residential erf or business erf, or on Erf 357 if subdivided and used for residential purposes. No flats, or tenement houses to be erected on any erf.
- (c) That the erven 16 to 26, 28, 30, 32, 33, 52, 54, 56, 58, 63 to 66, 67, 69, 97, 121, 122, 138 to 141, 39, 273, 274, 280, 281, 388 to 391, 414, 412, 413, 440, 441, 452 to 455, 439, 415 to 417 and 428 to 438 and 456 to 478 may be used for other than residential purposes according to the discretion of the Transferor.
- (d) That not more than one dwelling be erected on Erf No 154 without the written sanction of the Transferor or his successors in title.
- (e) That not more than two-thirds the area of the erf be built upon.
- (f) That no building shall be erected within 4,72 metres of any street line which forms a boundary of the erf. No building shall be situated within 1,57 metres of any adjoining erf, provided that this restriction shall not apply to the common boundary of erven held as one erf under consolidated title.
- (g) That the 4,72 metres building line restriction referred to in conditions (f) shall not apply to Erven 121, 122, 124, 126, 128, 130, 132, 134, 137 to 139, 143, 145, 147, 149, 150, 151, 153, 154, 260, 261, 262, 265, 266 to 268, 272 to 280, 361 to 368, 399 to 402, 405, 406, 409, 410, 412, 440 to 442, 444, 446, 448, 450, 453, 455 in respect of a garage if such erven are used for residential purposes.
- (h) That the present existing water line boundary of Erven 487 to 499 shall be maintained and preserved along its present existing line by the respective abutting owners.
- (i) That no erf shall be used for the carrying on of any offensive, unhealthy or dangerous trade as defined in the Cape Municipal Ordinance of 1912 or any amending Ordinance.

D. SUBJECT FURTHER to the following conditions imposed by the Administrator as being in favour of the Administrator and contained in said Deed of Transfer No. T2224/1962, namely:

- (j) That the erf be not subdivided, except in special circumstances, and then only with the consent in writing of the Administrator.



E. **SUBJECT FURTHER** to the following condition imposed by the Administrator as being in favour of the Local Authority and contained in said Deed of Transfer No. T2224/1962, namely:

- (k) That the owner of each erf, whether the applicant for the establishment of the township or any future owner shall be obliged to allow the drainage or sewerage of any other erf or erven to be conveyed over such erf if deemed necessary by the Local Authority, and in such manner and in such position as may from time to time be reasonably required by the Local Authority.

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

ROBERT COURT KNUPPE, Married as aforesaid

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

- 1. **ANDREW CLIFFORD JOHNSTONE, Married as aforesaid**
- 2. **DIANE JOHNSTONE, Married as aforesaid**

their Heirs, Executors, Administrators or Assigns, now are 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 R3 050 000,00 (THREE MILLION FIFTY 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

4 January 2006

2005 *ESM*

[Handwritten Signature]

q.q.

In my presence *[Handwritten Signature]*

REGISTRAR OF DEEDS

[Handwritten Signature]