

Du Toit Attorneys Inc t/a DTS Attorneys
108 Cape Road
Mill Park
Port Elizabeth
6001

Prepared by me

CONVEYANCER
LIESL DE LANGE (7396)

Deeds Office Registration fees as per Act 47 of 1937		
	Amount	Office Fee
Purchase Price	R. 3 900 000,00	R. 1 778,00
Reason for exemption	Category Exemption.....	Exemption i t o. Sec/Reg..... Act/Proc.....

DATA / VERIFY
17 -01- 2021
LINDA NCAPAI

DATA / CAPTURE
13 -01- 2022
NOLUVO NTYATYAMBA

T 000000194 / 2022

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

ANNECKE LOUW (80989)

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

**The Trustees for the time being of BILLY BOTHA FAMILIE TRUST
Registration Number IT 1199/1998**

which said Power of Attorney was signed at Port Elizabeth on 26 October 2021

And the appearer declared that his/her said principal had, on 27 September 2021, 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:

JON WILLIAM FERRY
Identity Number 770226 5184 08 9
Unmarried

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

ERF 574 BELVEDERE
IN THE KNYSNA MUNICIPALITY
DIVISION OF KNYSNA
PROVINCE OF WESTERN CAPE

IN EXTENT 1500 (ONE THOUSAND FIVE HUNDRED) Square metres

FIRST TRANSFERRED by Deed of Transfer Number T 67679/2002 with General Plan SG Number 4826/1998 relating thereto and held by Deed of Transfer Number T 39975/2017

- A. SUBJECT to the conditions referred to in Deed of Transfer Number T 16517/1960.
- B. ENTITLED to the benefit of the conditions referred to in the endorsement dated 5 July 1947 on Certificate of Consolidated Title Number T 12326/1944, which endorsement reads as follows:

“REGISTRATION OF SERVITUDE


By Deed of Transfer Number T 12535 dated 5 July 1947 Portion 17 thereby transferred has been made subject to the following conditions in favour of the owner of the remainder held hereunder viz:

1. That the land shall not in future be subdivided save with the consent of the Transferor.
2. The above property shall be used solely for residential purposes.
3. That the Transferor retains the right and power of enforcing sanitation and cleanliness upon the above land.
4. That owner for the time being of the said property shall be obliged to adequately fence the said land and at all times maintain the said fence in proper order at his own expense.

As will more fully appear on reference to the said deed of transfer.”

- C. ENTITLED to the benefit of the conditions referred to in the endorsement dated 9 September 1947 on said Certificate of Consolidated Title Number T 12326/1944 which endorsement reads as follows:

“REGISTRATION OF SERVITUDE

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Certain conditions re subdivision, residential and agricultural purposes, sanitation, fencing have been created in favour of the owner of the Remainder and his successors-in-title against the properties held by Transfers Numbers T 17422/1947, T 13088/1950, T 13089/1950, T 13090/1950, T 447/1953, as will more fully appear on reference to said Deed of Transfer."

(as amended by the condition referred to in the endorsement dated 7 January 1955 on the said Certificate of Consolidated Title Number T 12326/1944 as regards Deed of Transfer Number T 13088/1950 aforesaid, which endorsement reads as follows:

"REGISTRATION OF SERVITUDE

By Notarial Deed 2/55 dated 8 March 1954, the condition reading "Tat the above land shall not in future be subdivided save with the consent of the transferor imposed in Deed of Transfer Number T 13088/1950 dated 1 September 1950 against Portion 24 (a portion of Portion 13) of the farm Uitzigt (the property therein described) in favour of the Remainder of Portion 13 of the farm Uitzigt, held hereunder, has been cancelled.

As will more fully appear from reference to the said Notarial Deed."

- D. ENTITLED to the benefit of the conditions referred to in the endorsement dated 26 November 1947 on the said Certificate of Consolidated Title Number T 12326/1944, which endorsement reads as follows:

"REMAINDER
REGISTRATION OF SERVITUDE

By Deed of Transfer Number T 22974 dated 26 November 1947 Portion 19 thereby conveyed has been made subject to conditions in favour of the owner and his successors-in-title of the remainder of the land held hereby viz:

- (a) That the land shall not be subdivided without consent.
- (b) That the land shall be used solely for agricultural or residential purposes.
- (c) That transferor retains right and power of enforcing proper sanitation and cleanliness upon the land.
- (d) That owner shall adequately fence and maintain fencing as will more fully appear on reference to said transfer.

- E. ENTITLED to the benefit of the conditions referred to in the endorsement dated 6 January 1947 on the said Certificate of Consolidated Title Number T 12326/1944 which endorsement reads as follows:

"REMAINDER
REGISTRATION OF SERVITUDE

By Deeds of Transfer Numbers 80 – 82 dated 6 January 1947 Portions 14, 15 and 16 thereby conveyed have been subject to the following conditions in favour of the transferee and her successors-in-title as owners of the remaining extent of the land held hereunder:

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- (a) That the said portions shall not be subdivided without the consent of within transferee.
- (b) That the said portions shall be used solely for residential purposes.
- (c) That within transferee retains the right and power of enforcing proper sanitation and cleanliness upon said portions.
- (d) That owner of said portions shall adequately fence the land and maintain fence in proper order, as will more fully appear on reference to said transfer."

As amended by the condition referred to in the endorsement dated 7 January 1955 on said Certificate of Consolidated Title Number T 12326 dated 1 September 1944 as regards the said transfer Number T 28 dated 6 January 1947, which endorsement reads as follows:

"REGISTRATION OF SERVITUDE

By Notarial Deed Number 1/55 dated 9 November 1953 the condition reading "That the above property shall be used solely for residential purposes" imposed in Deed of Transfer Number T 82 dated 6 January 1947 against Portion 16 (a portion of Portion 13) of the farm Uitzigt (the property therein described) in favour of the Remainder of Portion 13 of the farm Uitzigt held under Certificate of Consolidated Title Number T 12326/1944 (this deed) and referred to in the endorsement dated 6 January 1947 hereon, has been amplified by the addition of the following words at the end thereof:- "and/or bona fide agricultural purposes" As will more fully appear from reference to the said Notarial Deed")

- F. ENTITLED to the benefit of the conditions referred to in the endorsement dated 27 February 1950 on the said Certificate of Consolidated Title Number T 12326/1944, which endorsement reads as follows:

"REMAINDER
REGISTRATION OF SERVITUDE


By Deeds of Transfer Numbers T 2298 and T2301/1950 the properties thereby transferred viz Lot Portland (Transfer Number T 2298/1950) and Portion 1 of Lot Queen (Transfer Number T 2301/1950) is subject to the following conditions in favour of the remaining extent of the property held hereunder viz:

- 1. Restraint against subdivision.
- 2. Property to be used for residential purposes only.
- 3. Certain rights as to sanitation.
- 4. Fencing of properties by owners thereof.

As will more fully appear on reference to said Deed of Transfer."

- G. ENTITLED to the benefit of the conditions referred to in the endorsement dated 24 February 1955 on said Certificate of Consolidated Title Number T 12326/1944, which endorsement reads as follows:

"REMAINDER

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By Transfer Number T 2176/1955 Portion 26 thereby transferred has been made subject to conditions in favour of the owner and his successors-in-title of the remainder of the land hereby viz:

1. That the land shall not be subdivided.
2. That the transferor shall not be responsible for the maintenance and/or erection of fences.

As will more fully appear on reference to the said Transfer."

- H. ENTITLED to the benefit of the conditions referred to in the endorsement dated 24 February 1955 on the said Certificate of Consolidated Title Number T 12326/1944, which endorsement reads as follows:

"REMAINDER

By Transfer Number T 2177/1955 the property thereby transferred is subject to conditions in favour of the owner and successors-in-title of the remainder of the land held hereby viz:

1. The Transferor shall not be responsible for the maintenance and/or erection of any fences.
2. The land shall not be subdivided.
3. The land shall be used for certain purposes with a certain proviso as will more fully appear on reference to the said Transfer."

- J. ENTITLED to the benefit of the conditions referred to in the endorsement dated 11 November 1957 on said Certificate of Consolidated Title Number T 12326/1944, which endorsement reads as follows:

"REMAINDER
REGISTRATION OF SERVITUDE

By Deed of Transfer Number T 16202 the property thereby transferred viz Portion 29 (a portion of Portion 13) of the farm Uitzigt measuring 4046 square metres is subject to the following conditions:

1. Restraint against subdivision.
2. Property to be used for residential purposes only.
3. Certain rights to sanitation.
4. Fencing and maintaining fences by owners thereof.

As will more fully appear on reference to said Deed of Transfer."

- K. ENTITLED to the conditions referred to in the endorsement dated 16 July 1958 on the said Certificate of Consolidated Title Number T 12326/1944, which endorsement reads as follows:

"REMAINDER
REGISTRATION OF SERVITUDE



By Deed of Transfer Number T 9919 dated this day the property thereby conveyed viz: Portion 28 (a portion of Portion 13) of the farm Uitzigt measuring : 1,7500 hectares is subject to the following conditions in favour of Remainder held hereunder:

1. Restraint against subdivision.
2. Property to be used for residential and/or agricultural purposes only.
3. Certain rights as to sanitation.
4. Fencing of property by owner thereof and fences to be kept in proper order.

As will more fully appear on reference to said Deed of Transfer.”

- L. ENTITLED to the benefit of the conditions referred to in the endorsement dated 10 July 1959 on the said Certificate of Consolidated Title Number T 12326/1944, which endorsement reads as follows:

“REMAINDER
REGISTRATION OF SERVITUDE

By Deed of Transfer Number T 9189/1959 dated this day Portions 31 and 32 (a portion of Portion 13) of the farm Uitzicht measuring 9290 square metres and 5242 square metres respectively are subject to the following conditions in favour of the remainder held hereunder:

1. Restraint against subdivision.
2. Property to be used for residential and/or agricultural purposes only.
3. Sanitation and cleanliness.
4. Fencing and the keeping of fences in proper order.
5. All benefits under special conditions (a), (b) and (c) in Certificate of Partition Title Number T 8083/1928 have been retained by the owner of within remaining extent.

As will more fully appear on reference to the said Deed of Transfer.”

- M. ENTITLED to the benefit of the conditions referred to in the endorsement dated 10 July 1959 on said Certificate of Consolidated Title Number T 12326/1944, which endorsement reads as follows:

“REMAINDER
REGISTRATION OF SERVITUDE

By Deed of Transfer Number T 9192/1959 dated this day Portion 30 (a portion of Portion 13) of the farm Uitzicht measuring 4610 square metres is subject to the following conditions in favour of the remainder held hereunder viz:

1. Restraint against subdivision.
2. Property to be used for residential and/or agricultural purposes only.

3. Sanitation and cleanliness.
4. Fencing and the maintenance of fences.
5. All benefits under special conditions (a), (b) and (c) in Certificate of Partition Title Number T 8083/1928 have been retained by the owner of within remaining extent.

As will more fully appear on reference to the said Deed of Transfer.”

- N. ENTITLED to the benefit of the conditions referred to in the endorsement dated 19 November 1959 on said Certificate of Consolidated Title Number T 12326/1944, which endorsement reads as follows:

“REMAINDER
REGISTRATION OF SERVITUDE

By Deed of Transfer Number T 16512/1959 dated this day Portion 36 measuring 9,0792 hectares (a portion of Portion 13 of the farm Uitzicht) is subject to the following conditions in favour of the remainder held hereunder measuring 988,5425 hectares viz:


1. Restraint against subdivision.
2. Property to be used for residential and/or agricultural purposes only.

As will more fully appear on reference to the said Deed of Transfer.”

- O. ENTITLED to the benefit of the respective special conditions relating to a reservation of rights to water contained in Deeds of Transfer Numbers T 80/1947, T 81/1947, T 82/1947; T 12535/1947; T 17422/1947; T 22975/1947; T 13088/1950; T 13089/1950; R 9919/1958; and T 16512/1959, whereby Portions 14, 15, 16, 17, 18, 19, 24, 23, 28 and 36 (all portions of Portion 13) of the farm Uitzicht, respectively, were conveyed which conditions are to the effect that such properties were sold and transferred without any of the water rights referred to in condition (3) of component part Number (1) contained in the said Certificate of Consolidated Title Number T 12326/1944.

The said Portion 37, is by reason of its situation, not subject to the conditions contained in the Notarial Deed of Servitude dated 14 October 1936 annexed to deed of transfer dated 13 July 1934, Number T 5951 and referred to in the endorsement thereon dated 15 October 1936, relating to certain rights to a spring called the “Silver Spring” and the water rights arising thereon, and is further not entitled to the benefit of the aforesaid conditions by reason of the fact that the remaining water rights at that time were transferred in toto by the Transferor to Philip de Pomeroy Legg as owner of Portion 20 under Deed of Transfer Number T 13089 dated 1 September 1950 and to Harold Grant Morgan as owner of Portion 21 under Deed of Transfer Number T 13090 dated 1 September 1950.

- P. SUBJECT to the following conditions contained in Deed of Transfer Number T 67679/2002 imposed by Knysna Municipality in terms of Ordinance 15 of 1985 when approving the subdivision of Erf 576 Belvedere:

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- (a) "Every owner of the property, shall automatically become and shall remain a member of the UPPER BELVEDERE HOME OWNERS' ASSOCIATION and be subject to the Constitution of UPPER BELVEDERE HOME OWNERS' ASSOCIATION until he/she/it/they ceases/cease to be an owner/owners as aforesaid.
- (b) The property shall not be transferred to any person who has not bound himself/herself/itself/themselves to the satisfaction of the UPPER BELVEDERE HOME OWNERS' ASSOCIATION to become a member of the UPPER BELVEDERE HOME OWNERS' ASSOCIATION.
- (c) The owner/s of the property shall not be entitled to transfer the property or any interest therein, without a clearance certificate from the UPPER BELVEDERE HOME OWNERS' ASSOCIATION that the provisions of the Constitution of the UPPER BELVEDERE HOME OWNERS' ASSOCIATION have been complied with.
- (d) The transferee/s undertakes/undertake only to use materials of a natural colour to the satisfaction of the UPPER BELVEDERE HOME OWNERS' ASSOCIATION upon constructing his dwelling.

Q. In terms of the consent to subdivision by the Department of Housing, Local Government and Planning – Provincial Administration Western Cape the property is subject to the following condition, enforceable by the said Department, contained in Deed of Transfer Number T 67679/2002, namely:

A water tank of sufficient capacity must be installed at every house.



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

**The Trustees for the time being of BILLY BOTHA FAMILIE TRUST
Registration Number IT 1199/1998**

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

JON WILLIAM FERRY , Unmarried

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 purchase price to be the sum of R3 900 000,00 (THREE MILLION NINE 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.

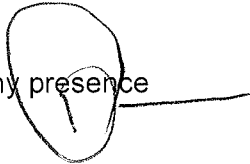
THUS DONE and EXECUTED at the Office of the REGISTRAR OF DEEDS at CAPE TOWN on

7 January 2022



q.q.

In my presence




REGISTRAR OF DEEDS



Du Toit Attorneys Inc t/a DTS Attorneys
108 Cape Road
Mill Park
Port Elizabeth
6001

Prepared by me

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CONVEYANCER
LIESL DE LANGE (7396)

POWER OF ATTORNEY TO PASS TRANSFER

I, the undersigned

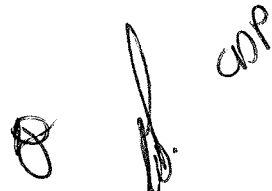
WILLEM JOHANNES BOTHA
duly authorised hereto by a resolution of the Trustees for the time
being of
BILLY BOTHA FAMILIE TRUST
Registration Number IT 1199/1998
acting in terms of Letters of Authority issued by the Master of the High
Court of South Africa Eastern Cape Division, Grahamstown at
Grahamstown on 30 September 2011

do hereby nominate and appoint CELESTE SMIT (19185) and/or LIESL DE
LANGE (7396) and/or RIAN ARNOLD DU TOIT (7286) and/or SUSANNA VIVIER
(80852) and/or HENDRIK EDUARD POTGIETER (80739) and/or ANNECKE
LOUW (80989) and/or MONIQUE VAN DER MERWE (17129) and/or CARL
ANDRE HUMAN (82869) and/or DANIEL PIERRE FOURIE (80339) and/or LINDA
ANNE BIRCH (83033) and/or LYNNE BOTHA (82076) and/or MICHELLE JANSEN
(18510) and/or BLAINE DYLAN SAUNDERS (96944)

with power of substitution to be my true and lawful Attorney and Agent in my name,
place and stead to appear at the Office of the REGISTRAR OF DEEDS at CAPE
TOWN or any other competent official in the Republic of South Africa and then and
there to act as my Attorney and Agent and to pass transfer to:

JON WILLIAM FERRY
Identity Number 770226 5184 08 9
Unmarried

the property described as:



ERF 574 BELVEDERE
IN THE KNYSNA MUNICIPALITY
DIVISION OF KNYSNA
PROVINCE OF WESTERN CAPE

IN EXTENT 1500 (ONE THOUSAND FIVE HUNDRED) Square metres


HELD BY Deed of Transfer Number T39975/2017

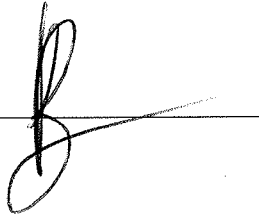
the said property having been sold by me on 27 September 2021, to the said transferee/s for the sum of R3 900 000,00 (Three Million Nine Hundred Thousand Rand)


and further cede and transfer the said property in full and free property to the said Transferee; to renounce all right, title and interest which the Transferor heretofore had in and to the said property, and generally, for effecting the purposes aforesaid, to do or cause to be done whatsoever shall be requisite, as fully and effectually, to all intents and purposes, as the Transferor might or could do if personally present and acting therein; hereby ratifying, allowing and confirming all and whatsoever the said Agent/s shall lawfully do or cause to be done in the premises by virtue of these presents.

Signed at Port Elizabeth on 26 October 2021
in the presence of the undersigned witnesses.

AS WITNESSES :

1.  _____

2.  _____



WILLEM JOHANNES BOTHA on behalf
of BILLY BOTHA FAMILIE TRUST







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Transfer Duty Declaration

TDREP

Reference Details

Transfer Duty Reference Number: TDE048FA22

Details

Details of Seller / Transferor / Time Share Company

Surname / Registered Name BILLY BOTHA FAMILIE TRUST
Company / CC / Trust Reg No. IT11991998

Full Name BILLY BOTHA FAMILIE TRUST
Marital Status

Details of Purchaser / Transferee

Full Name JON WILLIAM
Date of Birth (CCYYMMDD) 1977-02-26
Passport Country ZAF
Marital Status NOT MARRIED

Surname / Registered Name FERRY
ID Number 7702265184089
Passport Number
Spouse Initials

Details of the Property

Date of Transaction/Acquisition (CCYYMMDD) 2021-09-27
Total Fair Value R 3900000.00 | Total Consideration R 3900000.00

Calculation of Duty and Penalty / Interest

Transfer Duty Payable on Natural Person R 3900000.00

Property Description

1 ERF 574 BELVEDERE IN THE KNYSNA MUNICIPALITY DIVISION OF KNYSNA PROVINCE OF WESTERN CAPE IN EXTENT 1500 (ONE THOUSAND FIVE HUNDRED) Square metres

Receipt

Receipt Details

Transfer Duty Reference Number TDE048FA22
Receipt Amount R 245000.00

Receipt No. 1200898995

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.

XXXXXXXXXXXXXXXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXXXXXXXXXXXXXX

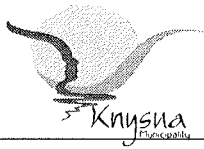
Please ensure you sign over the 2 lines of 'X' s above

80989

Date (CCYYMMDD) 20211209

For enquiries go to www.sars.gov.za or call 0800 00 SARS (7277)

ANNECKE LOUW



KNYSNA LOCAL MUNICIPALITY

CERTIFICATE IN TERMS OF SECTION 118 OF THE LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 (ACT No. 32 OF 2000)
(AS PRESCRIBED IN TERMS OF SECTION 120 OF ACT No. 32 OF 2000)

ISSUED BY KNYSNA LOCAL MUNICIPALITY

In terms of section 118 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), it is hereby certified that all amounts that became due to Knysna Local Municipality in connection with the undermentioned property situated within that municipality for municipal service fees, surcharges on fees, property rates and other municipal taxes, levies and duties during the two years preceding the date of application for this certificate, have been fully paid.

DESCRIPTION OF PROPERTY (see definition of property in section 1 of Act 32 of 2000)

21 Digit Code (or Municipal Reference Number): BRANDON
Erven: 574
Portion: 0
Extension: BELVEDERE
Zoning:
Registration division / Administrative District:
Suburb:
Town:
Sectional Title unit number:
Exclusive use area and number as referred to on the registered plan:
Real right:
Scheme registration number:
Sectional Title Scheme Name:
Registered owner: BILLY BOTHA FAMILIE TRUST (IT 1199/1998)
Name and Identity/ Registration Number of all purchaser/s: JON WILLIAM FERRY (7702265184089)

This Certificate is valid until: 23/01/2022
Given under my hand at KNYSNA on 24/11/2021

Digitally signed by Knysna Municipality
Signee: Brandon John Gelant
Sign date: 24/11/2021 03:49:10.519 PM
Expiration date: 17/02/2026 03:32:57 PM

MUNICIPAL MANAGER
Knysna Local Municipality

Date issued: 24/11/2021
Authorised Officer: Brandon Gelant

Certificate By Conveyancer:
I Liesl de Lange (full name and surname) hereby certify that this is a print-out of a data message in respect of the original clearance certificate electronically issued by the Knysna Local Municipality.

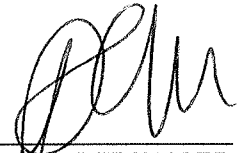
Conveyancer

29-11-2021
Date

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Du Toit Attorneys Inc t/a DTS Attorneys
108 Cape Road
Mill Park
Port Elizabeth
6001

Prepared by me



CONVEYANCER
LIESL DE LANGE
(7396)

CONSENT

UPPER BELVEDERE HOME OWNERS' ASSOCIATION

re: **TRANSFER BILLY BOTHA FAMILIE TRUST to JW FERRY**

TRANSFEROR :

**The Trustees for the time being of BILLY BOTHA FAMILIE TRUST
Registration Number IT 1199/1998**

TRANSFeree :

**JON WILLIAM FERRY
Identity Number 770226 5184 08 9
Unmarried**

PROPERTY:

**ERF 574 BELVEDERE
IN THE KNYSNA MUNICIPALITY
DIVISION OF KNYSNA
PROVINCE OF WESTERN CAPE**

IN EXTENT 1500 (ONE THOUSAND FIVE HUNDRED) Square metres

HELD BY Deed of Transfer Number T39975/2017

CONSENT IS HEREBY GIVEN by the **UPPER BELVEDERE HOME OWNERS' ASSOCIATION**, for the transfer of the above property to the abovementioned transferee.

DATED at

KNYSNA

on

15 NOVEMBER 2021



duly authorised by the

UPPER BELVEDERE HOME OWNERS' ASSOCIATION