

1382

Logan - Martin Inc  
P O Box 6  
Knysna  
6570

Prepared by me

CONVEYANCER  
RENÉ LYDIA MICHELS  
LPCM NO.93275

Deeds Office Registration fees as per Act 47 of 1937		
	Amount	Office Fee
Purchase Price	R. 3090 376 .00	R. 1778,00
Reason for exemption	Category Exemption.....	Exemption i t o. Sec/Reg..... Act/Proc.....

DATA / VERIFY  
22 -06- 2021  
YOLANDI OLIVIER

T 000029810 / 2021

### DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

**FLORIS ALBERTUS HANEKOM LPCM NO.90928**

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

**PLUMBAGO INVESTMENTS PROPRIETARY LIMITED**  
Registration Number 2014/075292/07  
as the bare dominium owner

REGISTRAR OF DEEDS  
22 -06- 2021  
JENNY VAN W/CK

which said Power of Attorney was signed at KNYSNA on 30 APRIL 2021

And the appearer declared that his/her said principal had, on 28 March 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:

**CHURCHILL ORTHODONTICS LIMITED**  
**Registration Number 2011/126194/10**

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

ERF 12482 KNYSNA  
IN THE MUNICIPALITY AND DIVISION OF KNYSNA  
PROVINCE OF THE WESTERN CAPE

IN EXTENT 1371 (ONE THOUSAND THREE HUNDRED AND SEVENTY  
ONE) Square metres

FIRST registered by Deed of Transfer No. T4500/2003 with General Plan  
No.1730/2001 relating thereto and held by Deed of Transfer No.T14686/2016

- A. SUBJECT to the conditions referred to in Deed of Transfer No's  
T29458/1948 and T1335/1954.
- B. SUBJECT FURTHER AND ENTITLED to, and entitled to the benefit of  
the terms of the following omnibus endorsements, namely:-

Dated 11 April 1938 on Deed of Transfer No. 9492 dated 31<sup>st</sup> December  
1908;

Dated 30 April 1945 on Deed of Transfer No. 12031 dated 28<sup>th</sup> August  
1944;

Dated 30 December 1948 on Deed of Transfer No. 29458 dated 30<sup>th</sup>  
December 1948, and

Dated 11 April 1938 on Deed of Transfer No. 9493 dated 31<sup>st</sup> December  
1908

from which endorsements it appears that by the various Transfers by  
which portions of Erf 1399, Knysna, were conveyed –

"certain restrictions relating to the use of the land for residential purposes, ....., value of buildings which shall be erected, drainage and sewerage and building line have imposed against the land thereby conveyed for the benefit of the owners and their successors in title to the remainder of the land held hereunder as will more fully appear on reference to the respective deeds of transfer."

The various Deeds of Transfer aforesaid being the following:-

No. 3476 dated 11.4.1938, Nos. 5881 and 5882 dated 14.6.1938, 8582 dd 19.8.1938, 3256 dated 4.4.1939, 11762 dd. 27.10.1939, No 3494 dd. 17.4.1940, No. 3759 dd 24.4.1940, Nos 13522/3/4/5/1943, No 14035/1943, No. 9927/1944, No. 968/45, No. 5411/45, No. 5412/45, No. 5858/45, No. 12799 dd 21.9.1945, No. 1928/46, No. 2143/46, No. 3813/46, No. 16569/47, No. 16663/47, No. 17138/47, No. 17964/47, No. 18271/47, No. 19639/47, No. 24923/47, No. 2195/48, No. 29457/48, No. 29459/48, No. 29460/48, No. 29461/48, No. 29462/48, No. 29463/48, No. 13523/49.

- C. SUBJECT FURTHER AND ENTITLED to the benefits of the servitude referred to in the endorments dated 4 October 1961 on the said Deeds of Transfer Nos 29458 dated 30<sup>th</sup> December 1948 and 1336 dated 8<sup>th</sup> February 1954, which endorments read as follows:-

"Remainder = 769,0073 hectare – Registration of Servitude. By Deed of Transfer No 13895 dd. This day Erf 2275 measuring 8296 square metres thereby conveyed is subject to or entitled to benefits of the conditions 1 to 7 as more fully set out in Annexure "A" annexed hereto imposed for the benefit of the remaining extent of Erf 1399 measuring 769,7003 hectare held under Para 2 hereof. As will more fully appear from said Deed of Transfer."

The said Annexure "A" reads as follows:-

1. The Transferee and his successors in title to the property hereby sold shall not be entitled to call upon the transferor as owner of the remaining extent of Erf 1399 Knysna measuring 769,0073 hectares to contribute towards the cost of construction or maintenance of any boundary fences erected on the boundary of the property hereby sold.
2. The transferee and his successors in title shall be entitled to use the property, hereby transferred for residential purposes, general business purposes, including Tearoom, Hotel or block of flats. The transferee and his successors in title shall not, however, carry on on the property any dangerous or obnoxious trade or any process of manufacture of any articles.
3. ....
4. The Transferee and his successors in title shall not construct any hoarding or screen for advertising purposes or display any advertisement of any kind whatsoever, save and except in connection with any business lawfully being carried on the property.
5. No buildings or improvements erected on the property hereby transferred other than fences or boundary walls shall be erected at a distance of less than 4,72 metres from the road boundary to the East of the property within a distance of 4,72 metres of the Western boundary of the property hereby transferred.
6. The Transferee and his successors in title to the property hereby transferred shall be entitled to deposit any soil resulting from any excavation on the property hereby transferred on the remaining extent of Erf 1399 Knysna, measuring 769,0073 hectares owned by the transferor and his successors in title, at such point and in such reasonable manner as the transferor and his successors in title shall indicate.

7. The transferor and his successors in title to the remaining extent of Erf 1399 Knysna measuring 769,0073 hectares shall not be entitled to erect any building on any portion of the said remaining extent of Erf 1399 Knysna measuring 769,0073 hectares which shall have the effect of obscuring or interfering with the outlook from the property hereby transferred or from any improvements erected thereon."

D. SUBJECT FOLLOWING to the servitude referred to in the following endorsements dated 13 November 1969 on the following Deed of Transfer Nos. 1336 dated 8<sup>th</sup> February 1954 and No. 29458 dated 30<sup>th</sup> December 1948, namely:-

"Remainder Para 2 = 769,0073 hectare registration of servitude

By Notarial Deed No. 580 dated 25/10/1968 registered this day, the remainder of Erf 1399 Knysna, measuring 769,0073 hectare held under para 2 hereof, is subject to a right in favour of the Municipality of Knysna, to construct, place and at all times use, inspect, maintain, cleanse, repair, replace, relay, conduct and manage a pipeline (15,24) centimetre in width and a service reservoir of 454 600 litre capacity in, through and upon the said remainder along a route and in a position still to be determined subject to the conditions and with ancillary rights more fully set out in said Notarial Deed."

E. SUBJECT FURTHER to the servitude referred to in the following endorsement dated 13 November 1969, on the following Deed of Transfer No's 1336 dated 8<sup>th</sup> February 1954, and No. 29458 dated 30<sup>th</sup> December 1948 namely:

"Remainder Para 2 = 769,0073 hectare  
Registration of Servitude.

By Notarial Deed No. 581 dated 3<sup>rd</sup> June, 1969, registered this day, the remainder of Erf 1399 Knysna, measuring 769,0073 hectare, held under para 2 hereof, is subject to a right in favour of the Municipality of Knysna, to construct, place and at all times use, inspect, maintain, cleanse, repair, replace, relay, conduct manage a service reservoir of

90 920 litre capacity and one or more pipelines ancillary thereto, through upon and over the said Remainder in a position and along a route still to be determined, subject to conditions and with ancillary rights more fully set out in said Notarial Deed."

- F. By Notarial Deed of Servitude No. K466/2001 dated 25 May 2001 the withinmentioned property is further subject to the following conditions in favour of the Knysna Municipality namely:

The Knysna Municipality and its successors-in-title, or assigns, shall have the right to, in general, convey over the withinmentioned property electricity, water and sewerage.

As will more fully appear from said Notarial Deed

- G. SUBJECT FURTHER to the following condition imposed by the Municipality of Knysna in terms of Section 42(1) of the Land Use Planning Ordinance 15 of 1985 when approving of the subdivision of ERF 12473 KNYSNA in terms of Section 25(1) of the said Ordinance, as created in Deed of Transfer No.T4500/2003, namely:

That the property hereby transferred may not be sold or transferred without the consent in writing of the Pezula Golf Estate Home Owners' Association NPC, Registration Number 1999/002020/08 (formerly known as The Sparrebosch Home Owners Association) the transferee and successors-in-title shall become a member.

- H. SUBJECT to life usufructs as contained in Deed of Transfer No.T14686/2016 in favour of the transferors, namely:

1. LUC PIERRE MARIE TOURNE  
Born on 28 January 1956  
Married, which marriage is governed by the laws of BELGIUM
2. GODELIEVE YVONNE FERNAND MICHIELS  
Born on 5 October 1961  
Married, which marriage is governed by the laws of BELGIUM

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

**PLUMBAGO INVESTMENTS PROPRIETARY LIMITED**  
**Registration Number 2014/075292/07**

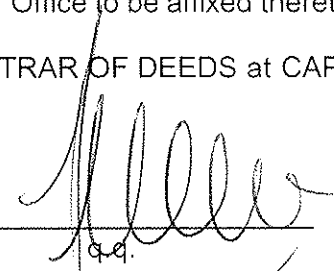
heretofore had to the premises, did in consequence also acknowledge it to be entirely dispossessed of, and disentitled to the same, and that by virtue of these presents, the said

**CHURCHILL ORTHODONTICS LIMITED**  
**Registration Number 2011/126194/10**

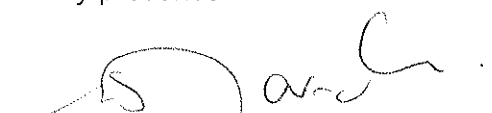
or its Successors in Title or assigns, now is and henceforth shall be entitled thereto, conformably to local custom, the State, however reserving its rights, and finally acknowledging the purchase price to be the sum of R2 090 376,00 (TWO MILLION NINETY THOUSAND THREE HUNDRED AND SEVENTY SIX RAND), and acknowledging the value of the property to be R10 500 000.00 (Ten Million Five Hundred Thousand Rand) and the usufruct value to be R8 409 624.00 (Eight Million Four Hundred and Nine Thousand Six Hundred and Twenty Four Rand) and that transfer duty was paid on the sum of R2 090 376.00 (Two Million and Ninety Thousand Three Hundred and Seventy Six 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 18 JUN 2021

  
\_\_\_\_\_  
REG.

In my presence

  
\_\_\_\_\_  
REGISTRAR OF DEEDS



