Stadler & Swart Attorneys 1 Doneraile Street GEORGE 6529

HERMANN WILHELM KRUGER

Prepared by me

fue midorsement Office fee Amount Purchase price/Value Mortgage capital Amount Reason for Exempt i.t. o exemption section.....

VERBIND MORTGAGED VIR FOR R 18 717 000 -00 000023086/2016 0 2 SEP 2016 REGISTRATEUR/REGISTRAR

T00053615/2016

## DEED OF TRANSFER

**BE IT HEREBY MADE KNOWN THAT** 

19 SEP 2013

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 GEORGE on 21 JULY 2016 granted to him by

THE TRUSTEES FOR THE TIME BEING OF THE **ADONAI SHAMMAH TRUST** Registration Number TM.3935/1993





And the appearer declared that his said principal had, on 16 May 2016, 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:

## GROENKLOOF ONTWIKKELINGS (PTY) LTD Registration Number 2002/007330/07

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

PORTION 3 (PORTION OF PORTION 6) OF FARM KRAAI BOSCH NO 195 IN THE MUNICIPALITY AND DIVISION GEORGE WESTERN CAPE PROVINCE

IN EXTENT 33,2127 (THIRTY THREE COMMA TWO ONE TWO SEVEN) Hectares

**FIRST TRANSFERRED** by Deed of Transfer Number T4824/1939 with Diagram relating thereto and held by Deed of Transfer Number T99378/1993.

- A. SUBJECT to the conditions referred to in Deed of Transfer No T4824/1939.
- B. SUBJECT FURTHER to the special condition contained in Certificate of Amendment Title issued in favour of E T L Edmeades on 23 April 1913 (George Quitrents Volume 15 No 11) which reads as follows:

"That the said land (Kraai Bosch) shall be subject to all such duties and regulations as either are already or shall in future be established respecting lands held on similar tenure."

- C. SUBJECT FURTHER to and entitled to the benefit of the following special conditions set out in the said Deed of Transfer No T4824/1939, namely:
  - "1. The Transferee and her successors in title as the owner of the above property shall be entitled to construct, use and maintain a right of way in the fullest sense of the term "VIA" across the remaining extent of LOT A of the farm Peter Koen's Kraai Bosch held by the transferor under aforesaid Deed of Transfer No 10841/1920 along and immediately Southwards of the Line LNOPQ marked on the annexed diagram, from a point 9,45 metres East of the point L abovementioned to the point Q abovementioned, to enable her and her successors in title to obtain access to and egress from the land hereby conveyed to and from the George Town Commonage on the Northwest of the said remaining extent of Lot A of Peter Koen's Kraai Bosch.



- 2. The Transferor, as owner of the remaining extent of Lot A of Peter Koen's Kraai Bosch held by him under the aforesaid Deed of Transfer No 10841/1920 shall for himself and his successors in title continue to have and enjoy riparian rights in and to the water in the Klein Zwart River proportionately with the Transferee and her successors in title and in the ratio of 136 shares to the Transferor and his successors and 39 shares to the Transferee and her successors.
- 3. The Transferor and his successors in title shall be further entitled to erect a Pumping Plant on the inner bank of the Klein Zwart River and to lay and maintain an underground pipe-line across the property hereby conveyed in order to enable him to lead his share of the water in the Klein Zwart River to the remaining extent of Lot A of Peter Koen's Kraai Bosch held by him as aforesaid."
- D. SUBJECT FURTHER to the servitudes referred to in the three endorsements dated 18 November 1940, 1 April 1941 and 17 October 1941 respectively on said Deed of Transfer No T4824/1939, reading as follows:

"By Notarial Deed No 326 dated 30.10.1940, the within mentioned Transferee has granted a water servitude over the property held hereunder in favour of the Municipality of George, with certain rights ancillary thereto. Subject to conditions as will more fully appear on reference to the said Notarial Deed."

"By Notarial Deed No 67/1941 dated 25.1.1941, the owner of the land held under Transfer No 2278/1934 has acquired the right to construct and use a right of way along and immediately southwards of the Southern boundary of the land held thereunder, as will more fully appear on reference to the said Notarial Deed."

"By Notarial Deed No 261/1941 dated 14.8.1941 the within land is made subject to the right by the Municipal Council of George to construct, use and maintain any poles or structures with necessary aerial wires for the conduct of electricity along the land hereby conveyed from the point marked dito point d2 on the servitude diagram with the necessary right of access and egress, as will more fully appear on reference to the said Notarial Deed, copy annexed hereto."

and entitled to the benefit of the servitude referred to in the endorsement dated 31 December 1942 on said Deed of Transfer No T4824/1939, which reads as follows:

"By Notarial Deed No 295/1942 dated 30.11.1942 the owner of the within property is entitled to an extension of the right of way, 9,45 metres wide along and immediately southwards of a line x y k, shown on Diagram No 1127/1939, annexed hereto, across the remaining extent of the land held under Transfer 10841/1920 as will more fully appear on reference to the said Notarial Deed, copy annexed hereto."

E. SUBJECT FURTHER to the terms of the endorsement dated 7 January 1972 on said Deed of Transfer No T9650/1955, which reads as follows:



"Registrasie van Serwituut

Die binnevermelde grond is onderhewig aan 'n serwituut met betrekking tot verdeling van water in terme van 'n bevel van die Waterhof (Waterhof Distrik Kaap, gedateer 26/5/1971) soos meer volledig sal blyk uit gemelde bevel, waarvan afskrif hieraan geheg is.

Serw 15/1972"

F. SUBJECT FURTHER to the terms of the endorsements dated 6 June 1977 on said Deed of Transfer No T9650/1955, which reads as follows:

"Registrasie van Serwituut K493/1977S

Die binnegemelde grond is onderhewig aan 'n serwituut met betrekking tot verdeling van water in terme van 'n bevel van die Waterhof (Waterhof Distrik Kaap, gedateer 3-6-1977 soos meer volledig sal blyk uit gemelde bevel, waarvan afskrif hieraan geheg is."

G. SUBJECT FURTHER to the terms of the endorsement dated 16 June 1977 on said Deed of Transfer No T9650/1955, which reads as follows:

"By Notarial Deed No K534/1977S, dated 8/6/1977, the property held hereunder is subject to a right in favour of the 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 (and Diagram), grosse whereof is annexed hereto.





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

THE TRUSTEES FOR THE TIME BEING OF THE ADONAL SHAMMAH TRUST Registration Number TM.3935/1993

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

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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 R23 117 000,00 (TWENTY THREE MILLION ONE HUNDRED AND SEVENTEEN 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 0 2 SEP 2016 2016

In my presence

REGISTRAR OF DEEDS

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