

179

W F Botha Attorneys
Shop 4, Village Square
STILBAAI
6674

Prepared by me

W F Botha

CONVEYANCER
WILLEM FRANS BOTHA
ELISTEA VREY

Deeds Office Registration fees as per Act 47 of 1937		
	Amount	Office Fee
Purchase Price	R. 8 000 000,00	R. 2 197,00
All other		
Reason for exemption	Category Exemption.....	Exemption I t o. Sec/Reg..... Act/Proc.....

T 000052144 / 2018

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

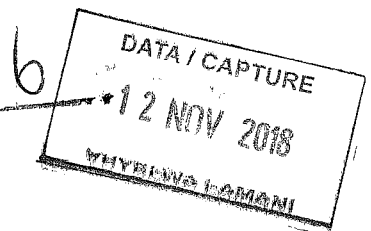
LYNNE BOTHA

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

NEW ADVENTURE SHELF 122 PTY LTD
REGISTRATION NUMBER: 1999/007765/07

which said Power of Attorney was signed at Riversdale on 21 August 2018

VIA ENDOSSEMENTE KTK BLAAGY
VIA ENDOSSEMENTS SEE PAGE.....



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And the appearer declared that his/her said principal had, on 6 August 2018, 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:

BELLADONNA PTY LTD
REGISTRATION NUMBER: 1965/003575/07

or its Successors in Title or assigns,

REMAINDER OF LOT 21, RIVERSDALE SETTLEMENT, SITUATE IN THE
HESSEQUA MUNICIPALITY, DIVISION RIVERSDALE, WESTERN CAPE
PROVINCE

IN EXTENT 77,8388 (SEVENTY SEVEN COMMA EIGHT THREE EIGHT
EIGHT) Hectares

FIRST transferred by Deed of Grant number 40/1949 with diagram number 549/1928
annexed thereto and HELD BY Deed of Transfer number T17673/2012

I. IN RESPECT of the figure xycD on said Diagram no. 549/1928-

A. **SUBJECT** to the conditions referred to in Deed of Transfer no T7269/1910.

B. **SUBJECT FURTHER** to the servitudes referred to in the two notes dated 24
February 1920 and 6 June 1925 in Deed of Transfer no T2294/1918 and which
reads as follows:

(a) Note dated 24 February 1920-

"By Transfer No 15592 of 29th December 1919, servitudes of abutment and
aqueduct, as well as the right to lead water over the land held hereby have
been granted to the owner of the remainder of the land by transfer 47 of
3/2/1888 as will more fully appear on reference to the first mentioned
transfer."

(b) Note dated 6 June 1925-

"The within described land is subject to a servitude with regard to
apportionment of water in terms of an Order of the Water Court (Water
Court District No 3) dated 6th April, 1922, as will more fully appear on
reference to the copy of the said Order annexed hereto."

II. IN RESPECT of the figure ByxEFqp on the said Diagram no. 549/1928 –

A. **SUBJECT** to the conditions referred to in Deed of Transfer No T2226/1917

B. **SUBJECT FURTHER** o the servitudes referred to in the two notes dated 24
February 1920 and 6 June 1925 in Deed of Transfer no T2320/1918 and which
are as set out in paragraph I.B.(a) and (b) above.

III. IN RESPECT of the figure Apq on the said Diagram No. 549/1928 –

A. **SUBJECT** to the conditions referred to in Deed of Transfer No T7266/1910

B. **SUBJECT FURTHER** o the servitudes referred to in the two notes dated 24
February 1920 and 6 June 1925 in Deed of Transfer no T2320/1918 and which
are as set out in paragraph I.B.(a) and (b) above.

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IV. IN RESPECT of the whole of the property –

A. **SUBJECT** to the following conditions contained in Grant No. 40/1949, namely –

- (a) die regte van die Goewerneur-Generaal soos in artikel vier-en-dertig van die “Kroongrond Nederzettings Wet, 1912”, bepaal watter genoemde artikel in die skedule gemerk “A” tot hierdie Kroongrondbrief ten volle opgeneem is;

welke Artikel 34 betrekking het op die uitvoering van sekere werke en die neem van material daarvoor.

- (b) die volgende voorwaarde voorgeskryf deur artikel nege van Wet No 45 van 1937, soos vervang deur artikel drie van Wet No 42 van 1944 en gewysig deur artikel vier van Wet No 23 van 1948.

‘Geen verdeling van die hiermee toegekende grond of van enige gedeelte daarvan of onverdeelde aandeel daarin, mag bewerkstellig word niesonder die skriftelike toestemming van die Minister van Lande, verleen op aanbeveling van die landraad op die voorwaardes wat die Minister wenslik ago m te stel; en hierdie voorwaarde word in elke daaropvolgende oordrag van die hiermee toegekende grond of enige gedeelte daarvan of onverdeelde aandeel daarin opgeneem.’

- (c) die reg van die Goewerneur-Generaal om ter eniger tyd die hiermee toegekende grond geheel of gedeeltelik weer in besit te neem as dit vir publieke doeleindes of vir ‘n uitspanning benodig mag wees teen betaling as vergoeding aan die eienaar van ‘n sodanige som geld soos deur die betrokke partye onderling ooreengekom mag word, of by gebreke van ‘n sodanige ooreenkoms, soos deur die skeidsregterlike uitspraak vasgestel mag word;

- (d) die reg van ‘n pad ten gunste van die huurders en/of eienaars van die orige hoewes van van die Riversdalnedersetting, in ‘n geskikte rigting na die naaste publieke weg oor die grond hiermee toegeken, moet altyd deur die eienaar toegestaan word en die eienaar geniet ‘n dergelike reg oor die genoemde orige hoewes, mits sulke regte na die mening van die Minister van Lande nodig is. ingeval van verskil betreffende die rigting van sodanige paaie, is die beslissing van die genoemde minister finaal en bindend vir alle partye;

- (e)

- (f) die Goewerment aanvaar geen aanspreeklikheid vir enige verlies wat die eienaar mag ly ter oorsake van waterskaarste of enige beperking van water, of enige misoeste as ‘n gevolg daarvan, of vir enige skade wat deur oorstroming, deursypeling of enige oorloop van water veroorsaak is nie;

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- (g) die Minister van Lande of sy regsverkrygendes het die reg om sonder betaling van vergoeding aan die eienaar van en oor die hiermee toegekende groundwater te neem en te lei deur middel van leiwatervore of ander vore of pype of andersins, ten behoeve van ander hoewes op die Riversdalnedersetting of ander Goewermentsgrond of private grond of vir publieke of ander doeleindes en sowel die Minister as die huurders, eienaars of ander persone wat die waterregte geniet het vir die doel die reg van toegang tot en uitgang van die hiermee toegekende grond en is geregtig om van die bedoelde grond al die material te neem wat hulle vir die uitoefening van die hierby bedoelde regte mag nodig hê;
- (h) die eienaar is onderworpe aan die reëls en regulasies van die Komitee van Beheer gevorm in terme van Artikel 46 van die Kroongrond nederzetting Wet van 1912, soos gewysig, vir die kontrole, gebruik en verdeling van water vir besproeiingsdoeleindes en die onderhoud van die besproeiingswerke; die onderhoud van weë wat nie onder die beheer staan van die Provinsiale Administrasie of Afdelingsraad, nie en alle ander sake wat vir die huurders en/of eienaars op die Riversdalnedersetting van gemeenskaplike belang is;
- (i) die hiermee toegekende grond is onderhewig aan al die nodige serwitute, met regte van ingang en uitgang ten opsigte van al die besproeiingswerke hoof- of leiwatervore of vore wat op of oor die grond mag bestaan of loop, vir die doel om aan enige ander hoewe of hoewes op die Riversdalnedersetting water te verskaf en is die hoewe verder onderhewig aan sodanige serwitute en waterregte as in die Goewermentsaktes van Transport van die Riversdalnedersetting vermeld of aangehaal is, of wat later deur die Minister opgelê mag word.

B.

C.

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

NEW ADVENTURE SHELF 122 PTY LTD
REGISTRATION NUMBER: 199900776507

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

BELLADONNA PTY LTD
REGISTRATION NUMBER: 196500357507

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 R8 000 000,00 (EIGHT MILLION RAND) .

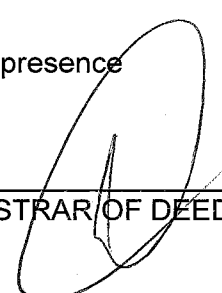
IN WITNESS WHEREOF, I the said Registrar, together with the Appearer, have subscribed to these presents, and have caused the Seal of Office to be affixed thereto.

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

8 November 2018. 

q.q.

In my presence



REGISTRAR OF DEEDS

ON

-6-

VERBIND		MORTGAGE	
R 6 000 000, 00			
B 000024989 / 2018			
08 NOV 2018			
		REGISTRAR	

3

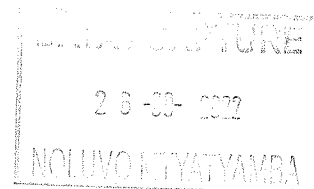
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KRUMM ATTORNEYS
PO BOX 3872
TYGER VALLEY
7536

Prepared by me


CONVEYANCER
CHARL PIETER KRUMM (88140)

Deeds Office Registration fees as per Act 47 of 1937		
	Amount	Office Fee
Purchase Price	R1600000,00	R1371,00
Reason for exemption	Category Exemption.....	Exemption i t o. Sec/Reg..... Act/Proc.....



T 047023/22

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

JEAN LE ROUX (LPCM 89870)

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

NEW ADVENTURE SHELF 122 (PTY) LTD
Registration Number 1999/007765/07

which said Power of Attorney was signed at Stilbaai on 1 March 2022

And the appearer declared that his/her said principal had, on 1 March 2022, 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:

BELLADONNA (PTY) LTD
Registration Number 1965/003575/07

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

ERF 266 (A PORTION OF ERF 21) RIVERSDAL SETTLEMENT, SITUATE IN
THE HESSEQUA MUNICIPALITY, DIVISION OF RIVERSDALE, PROVINCE
WESTERN CAPE

IN EXTENT 2,0005 (TWO COMMA ZERO ZERO ZERO FIVE) Hectares

FIRST transferred and still held by Certificate of Registered Title Number
T52143/2018 with General Plan SG No. 5690/2009 relating thereto

A. SUBJECT to the conditions referred to in Deed of Grant No. 40/1949 namely:-

(a) Die regte van die Goewerneur-Generaal soos in artikel vier-en-dertig van die "Kroongrond Nederzettings Wet, 1912" bepaal watter genoemde artikel in die skedule gemerk "A" tot hierdie Kroongrondbrief ten volle opgeneem is;

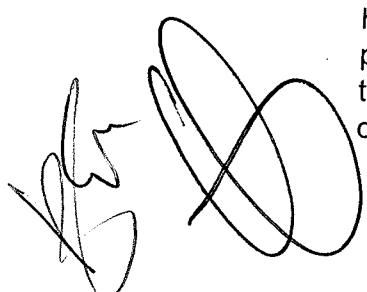
Welke Artikel 34 betrekking het op die uitvoering van sekere werke en die neem van materiaal daarvoor.

(b) Die volgende voorwaarde voorgeskryf deur artikel nege van Wet No 45 van 1937, soos vervang deur artikel drie van Wet No 42 van 1944 en gewysig deur artikel vier van Wet No 23 van 1948.

'Geen verdeling van die hiermee toegekende grond of van enige gedeelte daarvan of onverdeelde aandeel daarin, mag bewerkstellig word nie sonder die skriftelike toestemming van die Minister van Lande, verleen op aanbeveling van die landraad op die voorwaardes wat die Minister wenslik ag om te stel; en hierdie voorwaarde word in elke daaropvolgende oordrag van die hiermee toegekende grond of enige gedeelte daarvan of onverdeelde aandeel daarin opgeneem.'

(c) Die reg van die Goewerneur-Generaal om ter eniger tyd die hiermee toegekende grond geheel of gedeeltelik weer in besit te neem vir publieke doeleindes of vir 'n uitspanning benodig mag wees teen betaling as vergoeding aan die eienaar van 'n sodanige som geld soos deur die betrokke partye onderling ooreengekom mag word, of by gebreke van 'n sodanige ooreenkoms, soos deur skeidsregterlik uitspraak vasgestel mag word;

(d) Die reg van 'n pad ten gunste van die huurders en/of eienaars van die orige hoewes van die Riversdalenedersetting, in 'n geskikte rigting na die naaste publieke weg oor die grond hiermee toegeken, moet altyd deur die eienaar toegestaan word en die eienaar geniet 'n dergelike reg oor die genoemde orige hoewes, mits sulke regte na die mening van die Minister van Lande



nodig is. Ingeval van verskil betreffende die rigting van sodanige paaie, is die beslissing van die genoemde Minister finaal en bindend vir alle partye;

(e)

(f) Die Goewerment aanvaar geen aanspreeklikheid vir enige verlies wat die eienaar mag ly ter oorsake van waterskaarste of enige beperking van water, of enige misoeste as 'n gevolg daarvan, of vir enige skade wat deur oorstroming, deursybering of enige oorloop van water veroorsaak is nie;

(g) Die Minister van lande of sy regsverkrygendes het die reg om sonder betaling van vergoeding aan die eienaar van en oor die hiermee toegekende grondwater te neem en te lei deur middel van leiwatervore of ander vore of pype of andersins, ten behoeve van ander hoewes op die Riversdalenedersetting of ander Goewermentsgrond of private grond of vir publieke of ander doeleindes en sowel die Minister as die huurders, eienaars of ander persone wat die waterregte geniet het vir die doel die reg van toegang tot en uitgang van die hiermee toegekende grond en is geregtig om van die bedoelde grond al die materiaal te neem wat hulle vir uitoefening van die hierby bedoelde regte mag nodig hê;

(h) Die eienaar is onderworpe aan die reëls en regulasies van die Komitee van beheer gevorm in terme van Artikel 46 van die Kroongrond Nederzetting Wet 1912, soos gewysig, vir die kontrole, gebruik en verdeling van water vir besproeiingsdoeleindes en die onderhoud van die besproeiingswerke; die onderhoud van weë wat nie onder die beheer staan van die Provinsiale Administrasie of die Afdelingsraad nie en alle ander sake wat vir die huurders en/of eienaars op die Riversdalenedersetting van gemeenskaplike belang is;

(i) Die hiermee toegekende grond is onderhewig aan al die nodige serwitute, met regte van ingang en uitgang ten opsigte van al die besproeiingswerke hoof- of leiwatervore of -vore wat op of oor die grond mag bestaan of loop, vir die doel om aan enige ander hoewe of hoewes op die Riversdalenedersetting water te verskaf en is die hoewe verder onderhewig aan sodanige serwitute en waterregte as in die Goewermentsaktes van Transport van die Riversdalenedersetting vermeld of aangehaal is, of wat later deur die Minister opgelê mag word.

B.

C. SUBJECT to the following Endorsement in terms of Section 6(2) of Act 70 of 1970 as contained in Certificate of Registered Title No T 52143/2018, namely:

In terms of Minister's Consent No 53844 dated 3 July 2018, the within mentioned property may only be used for Business Zone V (filling station) purposes and purposes relating thereto.



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

NEW ADVENTURE SHELF 122 (PTY) LTD
Registration Number 1999/007765/07

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

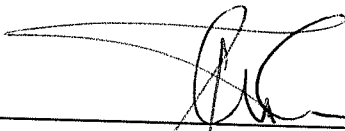
BELLADONNA (PTY) LTD
Registration Number 1965/003575/07

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 R1 600 000,00 (ONE MILLION SIX HUNDRED THOUSAND RAND) excluding VAT in the sum of R0,00 (NIL RAND), total consideration paid by the transferee to the transferor being the amount of R1 600 000,00 (ONE MILLION SIX 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

23 SEP 2022



q.q.

In my presence



REGISTRAR OF DEEDS

