



**CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD**

REPORT TO MUNICIPAL PLANNING TRIBUNAL

ITEM NO

MPTSW26/01/20

CASE ID	70475323
CASE OFFICER	N FLORIS (AS)
CASE OFFICER PHONE NO	021 444 9540
DISTRICT	SOUTHERN
REPORT DATE	09/01/2020

WARD 62: APPLICATION FOR AN ADMINISTRATIVE PENALTY IN TERMS OF THE CITY OF CAPE TOWN MUNICIPAL PLANNING BY-LAW, 2015 (MPBL): ERF 125 BISHOPSCOURT, 35 NORWICH DRIVE

1 EXECUTIVE SUMMARY

Property description	Erf 125 Bishopscourt
Property address	35 Norwich Drive
Site extent	5432m ²
Current zoning	Agricultural Zone
Current land use	Dwelling house
Overlay zone applicable	None
Submission date	18/09/2019
Subject to PHRA / SAHRA	No
Any unauthorised land use / building work?	Unauthorised building work and land use in the form of a second dwelling.
Has owner applied for the determination of an administrative penalty	Yes
Has the City Manager applied to the MPT for an order that a person who is contravening the MPBL must pay an administrative penalty in an amount determined by the MPT	No
Has the City issued a demolition directive i.t.o section 128 of the MPBL? If yes, an administrative penalty may not be applied for.	No
Has the City served a notice on the owner or other person in respect of the unlawful land use or building work which required the owner or other person to apply for the determination of an administrative penalty?	No

2 DECISION AUTHORITY

For decision by the Municipal Planning Tribunal (MPT).

3 BACKGROUND / SITE HISTORY

- 3.1 On 08/02/2017 a departure application was submitted relating to street and common boundary setbacks and the width of a carriageway crossing. This was to permit, inter alia, a tennis pavilion. The application was approved by a delegated official on 02/05/2017. The related building plan was approved on 27/06/2017 (see Annexure D).
- 3.2 An application for rezoning (from Agricultural Zone to Single Residential Zone 1), departures (relating to a common boundary setback, width of a carriageway crossing and to permit a second dwelling in a different architectural style to the main dwelling), the deletion of title deed conditions and conditions of an existing approval (relating to the 1 dwelling only restriction and the street and common boundary setbacks), in order to erect a second dwelling was submitted on 15/10/2019. The application is in the additional information stage.

4 SUMMARY OF APPLICANT'S MOTIVATION

The applicant's motivation is attached as Annexure C and may be summarised as follows:

- The unauthorised building work covers an area of 284.82m².
- A penalty of between R0 and R1 024 062.30 can be imposed for the building work.
- The area that is used unlawfully is 4.7% of the area of the subject property.
- According to the market value of the subject property is R17.1million.
- A penalty of between R0 and R803 700.00 can be imposed for the land use.
- The construction of the building commenced in April 2018 and finished in December 2018.
- The owner appointed the builder and requested alterations to the approved plans.
- The second dwelling is not rented out.
- The second dwelling is used intermittently by family members who all live overseas.
- The unauthorised building work is the doing of the current owner.
- The owners wish to rectify the situation.
- There was no notice issued by an inspector.
- The nature and impact of the unauthorised building work are considered minor.
- The owners have not previously contravened the MPBL.
- It is requested that a penalty of 1% (not exceeding R18 277.63) be imposed.

5 ASSESSMENT OF APPLICATION

- 5.1 The unauthorized second dwelling is in contravention of Item 108 of the Development Management Scheme (DMS) as a second dwelling is an additional use right that necessitates the development rules in Item 53 to be complied with. This is not complied with in that the architectural style of the second dwelling and the main dwelling house are not similar and as the second dwelling requires the payment of a development contribution (Item 53(f)) that has not been paid. Furthermore, the second dwelling contravenes

the 15m street and common boundary setbacks (i.e. Item 109 of the DMS). In addition, the second dwelling contravenes the title deed conditions restricting the use of the property to 1 dwelling only and imposing a 3.15m lateral building line restriction. As these conditions were imposed in terms of the Townships Ordinance No 33 of 1934, the contravention of these conditions are technically also a contravention of the MPBL.

- 5.2 In terms of section 129(7)(a) of the By-Law, an administrative penalty for a building work contravention may not be more than 100% of the value of the building, construction and engineering work unlawfully carried out.
- 5.3 In terms of section 129(7)(b) of the By-Law, an administrative penalty for the land use contravention may not be more than 100% of the municipal valuation of the area that is used unlawfully.
- 5.4 The municipal value of the property is R17 100 000.00 (see Annexure F).
- 5.5 Calculation for unauthorised land use

$$\frac{R17\ 100\ 000}{5432m^2} \times 254m^2 = R799\ 594.99$$

- 5.6 An amount which is not more than 100% of R799 594.99 may be imposed as an administrative penalty in relation to the land use.
- 5.7 According to the table of building costs in the Standard Operating Procedure for Administrative Penalties the value of the building work in contravention of the MPBL is calculated as follows:
 Second dwelling: $132.73m^2 \times R7\ 060.00 = R937\ 073.80$
 Stoep: $100.48m^2 \times R1\ 330.00 = R133\ 638.40$
 Timber deck: $19.86m^2 \times R2530.00 = R50\ 245.80$
 Retaining wall: $31.75m \times R2550.00 = R80\ 962.50$
 Total=R1 201 920.50
- 5.8 An amount which is not more than 100% of R1 201 920.50 may be imposed as an administrative penalty in relation to the building work.
- 5.9 An amount which is not more than 100% of R2 001 515.49 may be imposed as an administrative penalty for both the building work and the land use.
- 5.10 The following factors need to be considered when determining an appropriate administrative penalty, as contemplated by section 129(8) of the By-Law:

a) The nature, duration, gravity and extent of the contravention

Nature - The nature of the land use contravention relates to a second dwelling which is permitted in the Agricultural Zone as an additional use right.

Duration - The unlawful building work was constructed in April 2018. The duration of the contravention is moderate.

Gravity – The gravity of the contravention is not particularly serious considering the large property size and the screening of the second dwelling by trees. However, the gravity is aggravated by the title deed contravention.

Extent – The footprint of the contravention is 254m². The extent of the contravention is large.

b) The conduct of the person involved in the contravention

The applicant has not provided a proper explanation of why the contravention occurred. Given the nature and scale of the change from the approved small tennis pavilion to a far larger second dwelling, it appears that the contravention was willful. Given the building plan approval process for the tennis pavilion, the owner clearly had some knowledge that a Council process was required.

The conduct of the owner cannot be condoned.

c) Whether the unlawful conduct was stopped

The unlawful conduct has not stopped.

d) Whether a person involved in the contravention has previously contravened by this By-Law or any other planning law

As far as can be ascertained, the owner of the property has not previously contravened this By-Law or any other planning law.

- 5.11 In view of the abovementioned considerations, and particularly the unacceptable conduct of the owner, and the intention that administrative penalties, in part at least, serve as a deterrent, this Department recommends that an administrative penalty of R40 000.00 be imposed. (Simply for comparative purposes, it must be noted that this amounts to ±2% of the maximum administrative penalty that can be imposed. Note that a 2% penalty was recommended by the applicant as appropriate when initially submitting this application.)

6 REASONS FOR DECISION

Reasons for the recommended decision may be summarised as follows:

- 6.1 The second dwelling contravenes Items 53, 108 and 109 of the Development Management Scheme. The second dwelling also contravenes the title deed conditions restricting the use of the property to 1 dwelling only and imposing a 3.15m lateral building line restriction. As these conditions were imposed in terms of the Townships Ordinance No 33 of 1934, the contravention of these conditions are technically also a contravention of the MPBL.
- 6.2 The unlawful building work was constructed in April 2018. The duration of the contravention is moderate.
- 6.3 The gravity of the contravention is not particularly serious considering the large property size and the screening of the second dwelling by trees. However, the gravity is aggravated by the title deed contravention.
- 6.4 The footprint of the contravention is 254m². The extent of the contravention is large.

- 6.5 The applicant has not provided a proper explanation of why the contravention occurred. Given the nature and scale of the change from the approved small tennis pavilion to a far larger second dwelling, it appears that the contravention was willful. Given the building plan approval process for the tennis pavilion, the owner clearly had some knowledge that a Council process was required. The conduct of the owner cannot be condoned.
- 6.6 As far as can be ascertained, the owner of the property has not previously contravened this By-law or any other planning law.

7 RECOMMENDATION

In view of the above, it is recommended that:


- a) An administrative penalty in the amount of R40 000.00 be determined in terms of Section 129 of the City of Cape Town Municipal Planning By-Law, 2015 in respect of Erf 125 Bishopscourt regarding unauthorised building work and land use as per the plans drawn by Michael Dall Architects with drawing numbers 2.004 (Revision A dated August 2019), 2.005 (Revision A dated August 2019) and 2.006 (dated October 2019).

ANNEXURES

Annexure A	Locality map
Annexure B	Site Development Plan
Annexure C	Applicant's motivation
Annexure D	Previously approved building plans
Annexure E	Title deed
Annexure F	Municipal valuation



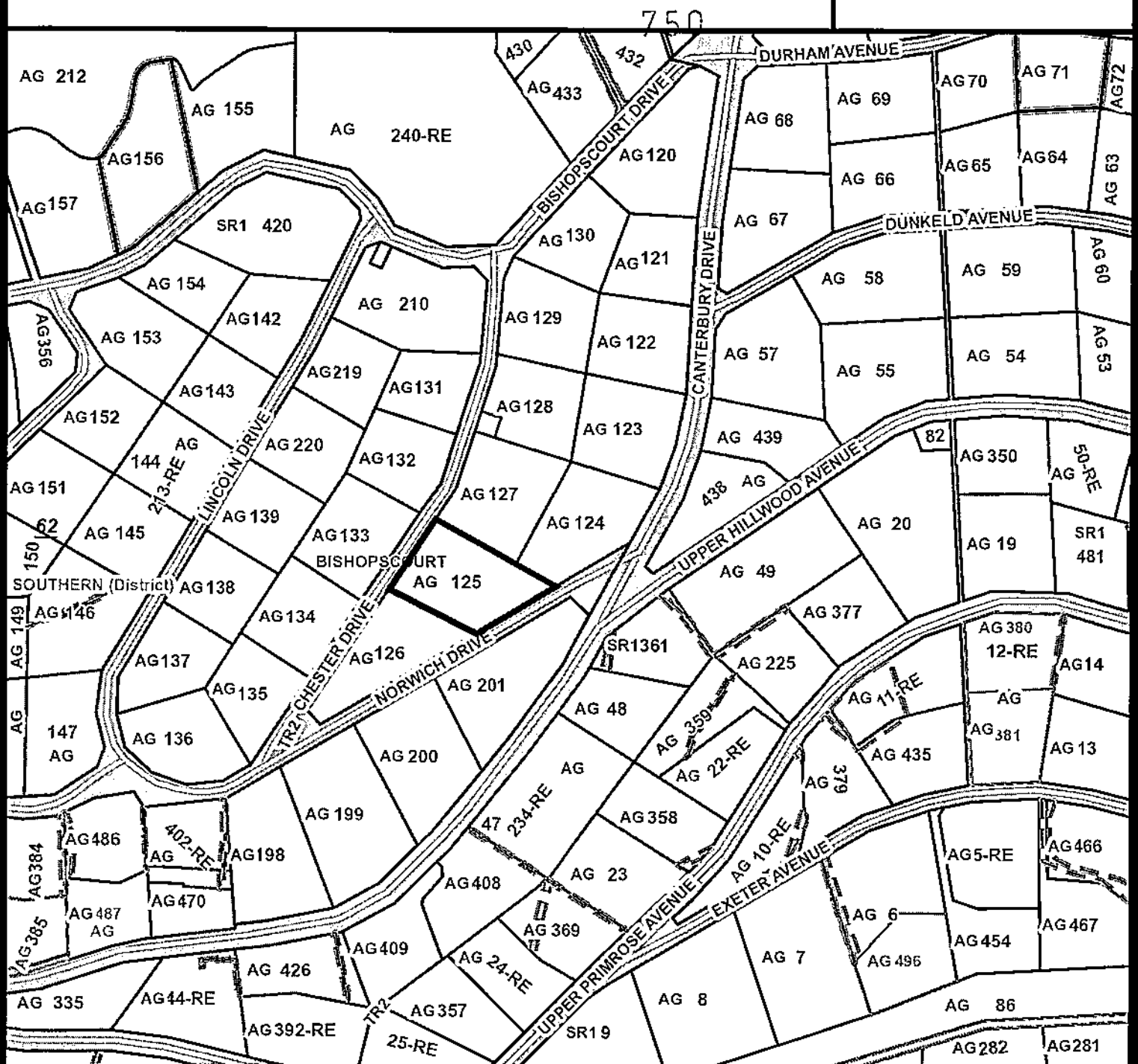
Section Head
Name: P Hoffa
Tel no: 021 444 7724
Date: 2020-01-09



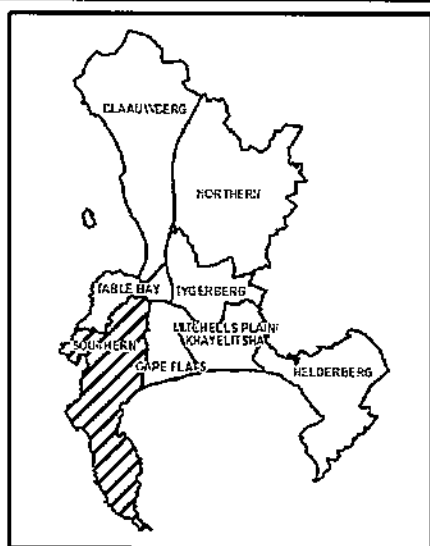
District Manager
Name: U Gonsalves
Tel no: 021 444 7720
Date: 2020-01-10

PLANNING AND BUILDING DEVELOPMENT MANAGEMENT LOCALITY MAP

ANNEXURE : A



Overview



Erf: 125

Allotment: BISHOPS COURT

Ward: 62

District: SOUTHERN

Suburb: BISHOPSCOURT

Sub Council: Subcouncil 20



1:4 269

Notices Served



Support
Received



Petition
Signatory



Objections
Received



Generated by:

Date: 04 December 2019

File Reference:



CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

Making progress possible. Together.

VENTRAL MOTOR

[illegible]

H_2, I, D_0, H	H_2, I, D_0, H
absorption	H_2, I, D_0, H

MICHAEL DALL

圖 4
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**HOUSE MORGAN
PROPOSED SECOND DWELLING
& REZONING FROM AG TO SRI
ERP 125 BISHOPSCOURT
35 NORWICH AVENUE**

SITE I AV0107

| | 1980 | 1979 | 1978 | 1977 | 1976 | 1975 | 1974 | 1973 | 1972 | 1971 | 1970 | 1969 | 1968 | 1967 | 1966 | 1965 | 1964 | 1963 | 1962 | 1961 | 1960 | 1959 | 1958 | 1957 | 1956 | 1955 | 1954 | 1953 | 1952 | 1951 | 1950 | 1949 | 1948 | 1947 | 1946 | 1945 | 1944 | 1943 | 1942 | 1941 | 1940 | 1939 | 1938 | 1937 | 1936 | 1935 | 1934 | 1933 | 1932 | 1931 | 1930 | 1929 | 1928 | 1927 | 1926 | 1925 | 1924 | 1923 | 1922 | 1921 | 1920 | 1919 | 1918 | 1917 | 1916 | 1915 | 1914 | 1913 | 1912 | 1911 | 1910 | 1909 | 1908 | 1907 | 1906 | 1905 | 1904 | 1903 | 1902 | 1901 | 1900 | 1899 | 1898 | 1897 | 1896 | 1895 | 1894 | 1893 | 1892 | 1891 | 1890 | 1889 | 1888 | 1887 | 1886 | 1885 | 1884 | 1883 | 1882 | 1881 | 1880 | 1879 | 1878 | 1877 | 1876 | 1875 | 1874 | 1873 | 1872 | 1871 | 1870 | 1869 | 1868 | 1867 | 1866 | 1865 | 1864 | 1863 | 1862 | 1861 | 1860 | 1859 | 1858 | 1857 | 1856 | 1855 | 1854 | 1853 | 1852 | 1851 | 1850 | 1849 | 1848 | 1847 | 1846 | 1845 | 1844 | 1843 | 1842 | 1841 | 1840 | 1839 | 1838 | 1837 | 1836 | 1835 | 1834 | 1833 | 1832 | 1831 | 1830 | 1829 | 1828 | 1827 | 1826 | 1825 | 1824 | 1823 | 1822 | 1821 | 1820 | 1819 | 1818 | 1817 | 1816 | 1815 | 1814 | 1813 | 1812 | 1811 | 1810 | 1809 | 1808 | 1807 | 1806 | 1805 | 1804 | 1803 | 1802 | 1801 | 1800 | 1799 | 1798 | 1797 | 1796 | 1795 | 1794 | 1793 | 1792 | 1791 | 1790 | 1789 | 1788 | 1787 | 1786 | 1785 | 1784 | 1783 | 1782 | 1781 | 1780 | 1779 | 1778 | 1777 | 1776 | 1775 | 1774 | 1773 | 1772 | 1771 | 1770 | 1769 | 1768 | 1767 | 1766 | 1765 | 1764 | 1763 | 1762 | 1761 | 1760 | 1759 | 1758 | 1757 | 1756 | 1755 | 1754 | 1753 | 1752 | 1751 | 1750 | 1749 | 1748 | 1747 | 1746 | 1745 | 1744 | 1743 | 1742 | 1741 | 1740 | 1739 | 1738 | 1737 | 1736 | 1735 | 1734 | 1733 | 1732 | 1731 | 1730 | 1729 | 1728 | 1727 | 1726 | 1725 | 1724 | 1723 | 1722 | 1721 | 1720 | 1719 | 1718 | 1717 | 1716 | 1715 | 1714 | 1713 | 1712 | 1711 | 1710 | 1709 | 1708 | 1707 | 1706 | 1705 | 1704 | 1703 | 1702 | 1701 | 1700 | 1699 | 1698 | 1697 | 1696 | 1695 | 1694 | 1693 | 1692 | 1691 | 1690 | 1689 | 1688 | 1687 | 1686 | 1685 | 1684 | 1683 | 1682 | 1681 | 1680 | 1679 | 1678 | 1677 | 1676 | 1675 | 1674 | 1673 | 1672 | 1671 | 1670 | 1669 | 1668 | 1667 | 1666 | 1665 | 1664 | 1663 | 1662 | 1661 | 1660 | 1659 | 1658 | 1657 | 1656 | 1655 | 1654 | 1653 | 1652 | 1651 | 1650 | 1649 | 1648 | 1647 | 1646 | 1645 | 1644 | 1643 | 1642 | 1641 | 1640 | 1639 | 1638 | 1637 | 1636 | 1635 | 1634 | 1633 | 1632 | 1631 | 1630 | 1629 | 1628 | 1627 | 1626 | 1625 | 1624 | 1623 | 1622 | 1621 | 1620 | 1619 | 1618 | 1617 | 1616 | 1615 | 1614 | 1613 | 1612 | 1611 | 1610 | 1609 | 1608 | 1607 | 1606 | 1605 | 1604 | 1603 | 1602 | 1601 | 1600 | 1599 | 1598 | 1597 | 1596 | 1595 | 1594 | 1593 | 1592 | 1591 | 1590 | 1589 | 1588 | 1587 | 1586 | 1585 | 1584 | 1583 | 1582 | 1581 | 1580 | 1579 | 1578 | 1577 | 1576 | 1575 | 1574 | 1573 | 1572 | 1571 | 1570 | 1569 | 1568 | 1567 | 1566 | 1565 | 1564 | 1563 | 1562 | 1561 | 1560 | 1559 | 1558 | 1557 | 1556 | 1555 | 1554 | 1553 | 1552 | 1551 | 1550 | 1549 | 1548 | 1547 | 1546 | 1545 | 1544 | 1543 | 1542 | 1541 | 1540 | 1539 | 1538 | 1537 | 1536 | 1535 | 1534 | 1533 | 1532 | 1531 | 1530 | 1529 | 1528 | 1 |
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| Material | Quantity | Unit |
|----------|----------|------|
| 1.000 | 1.000 | kg |

| | | |
|-------|-------|---|
| 06/16 | 2.005 | A |
|-------|-------|---|

SDP FOR ADMIN
PENALTY APPLICATION
AMENDED OCTOBER 2019

FLOOR AREAS & FLOOR SPACE CALCULATIONS

| | |
|----------------------------------|--------------|
| FLOOR AREA PER APPROVED PLANS = | 1018.47 sq m |
| NEW FLOOR AREA = | 57.64 sq m |
| NEW TOTAL FLOOR AREA = | 1085.51 sq m |
| FLOOR SPACE PER APPROVED PLANS = | 395.81 sq m |
| ADDITIONAL FLOOR SPACE = | 6.134 sq m |
| NEW TOTAL FLOOR SPACE = | 1022.28 sq m |

SITE LAYOUT

NOTE EXISTING GROUND LEVELS SHOWN AS EXISTING
2015 PRIOR TO 2017 APPROVED BUILDING PLANS

UNAUTHORISED STRUCTURES

| | | |
|---|-----------------|--------------|
| 1 | SECOND DWELLING | 132,720 SQ M |
| 2 | STOEP | 109,460 SQ M |
| 3 | TIMBER DECK | 19,860 SQ M |
| 4 | RETAINING WALLS | 31,750 SQ M |

INDICATES EXTENT OF SECOND OWELLING

SECTION
through boundary wall
C.A.S.E. 17188

753

753

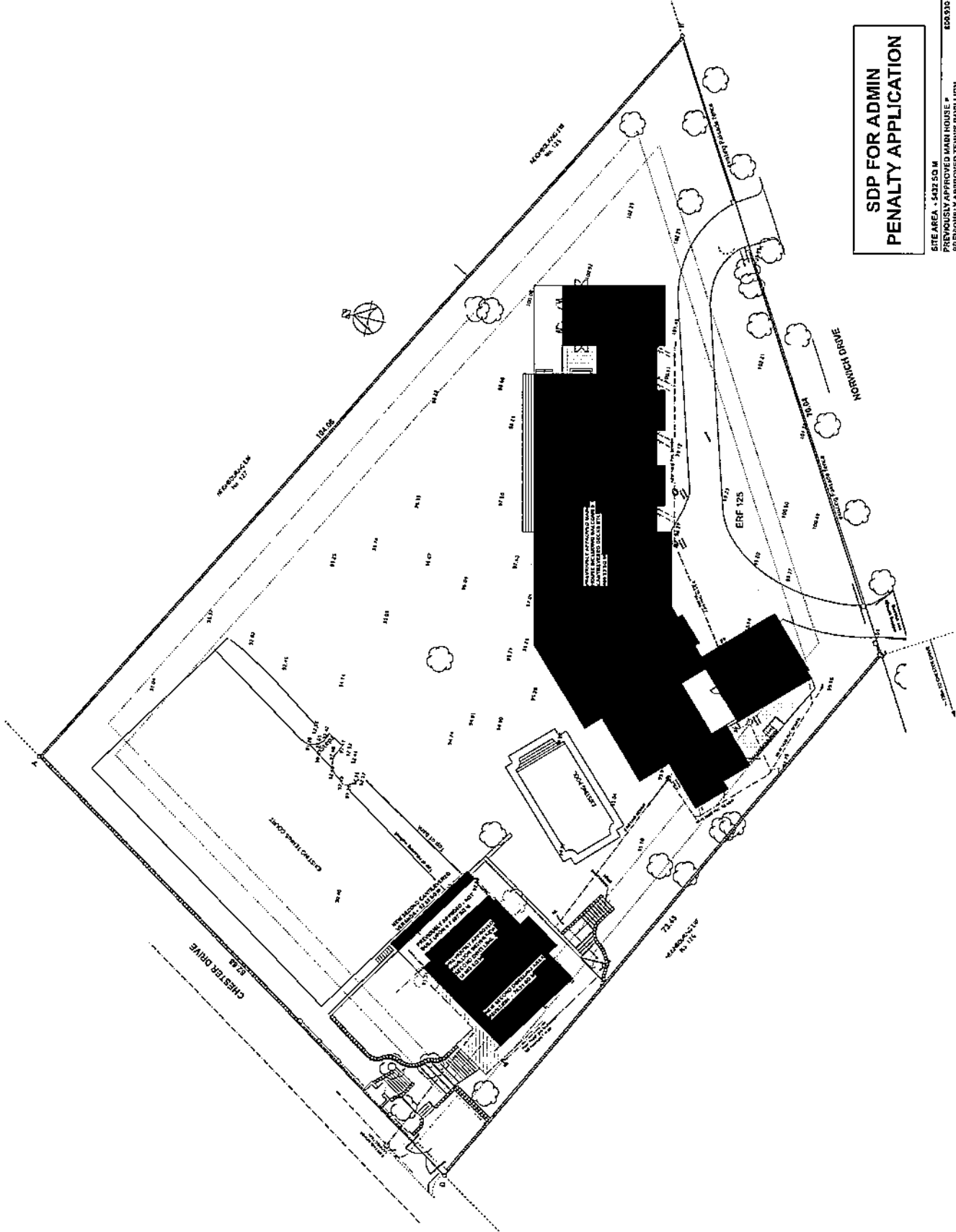
MICHAEL DALL
ARCHITECTS

HOUSE MORGAN
PROPOSED SECOND DWELLING
& REZONING FROM AG TO SRI
ERF 125 BISHOPSCOURT
35 NORWICH AVENUE

| Area | Size | Notes |
|-------------------------------------|------------|-------|
| Site | 5427 SQ M | |
| Previously Approved Main House | 65833 SQ M | |
| Previously Approved Tennis Pavilion | 58303 SQ M | |
| Previously Approved Tennis Pavilion | 74316 SQ M | |
| New Second Dwelling | 12516 SQ M | |
| New Cantilevered Veranda | 17409 SQ M | |
| Total Built Upon Area | 17409 SQ M | |

SDP FOR ADMIN PENALTY APPLICATION

| | |
|---|------------|
| SITE AREA - 5427 SQ M | 65833 SQ M |
| PREVIOUSLY APPROVED MAIN HOUSE - 65833 SQ M | 58303 SQ M |
| PREVIOUSLY APPROVED TENNIS PAVILLION (now part of second dwelling) - 74316 SQ M | 74316 SQ M |
| PREVIOUSLY APPROVED TENNIS PAVILLION (no longer built upon area) - 12516 SQ M | 12516 SQ M |
| NEW SECOND DWELLING - 12516 SQ M | 17409 SQ M |
| NEW CANTILEVERED VERANDA - 17409 SQ M | 17409 SQ M |
| TOTAL BUILT UPON AREA - 17409 SQ M | 17409 SQ M |



Date: September 2019 (amended November 2019)

Ref: 10429 (Arina de Villiers)

Your ref: Case ID 70475323 (Nasrudeen Floris)

Director: Development Management
City of Cape Town (Southern District)
Corner Main & Victoria Roads
PLUMSTEAD
7800

TOMMY BRÜMMER
T O W N P L A N N E R S

I L Rosenberg House 80 Jordaan Street BO-KAAP
242 Buitengracht Bo-Kaap CAPE TOWN 8001
T: 021 531 8435 E: info@tommybrummer.co.za

Dear Sir

**APPLICATION FOR THE DETERMINATION OF AN ADMINISTRATIVE PENALTY:
ERF 125 BISHOPSCOURT, AT 35 NORWICH DRIVE**

1. Background

A building plan for alterations and extensions to the existing dwelling house and for a new outbuilding (pavilion next to the tennis court) on Erf 125 Bishopscourt was approved by the City on 27 June 2017, building plan number 70330788.

During construction, the tennis pavilion was extended and converted into a second dwelling. The deviations to the approved plan have not yet been approved given that a Land Use Management application must first be approved (the application for removal of restrictions, rezoning and departures will also be submitted in September 2019, Case ID 70475628).

Application is accordingly hereby made for the determination of an administrative penalty for the unauthorised building work and land use (second dwelling) as shown on the Site Development Plan (amended October 2019) submitted herewith. The penalty application must be finalised before the City can make a decision in respect of the LUM application.

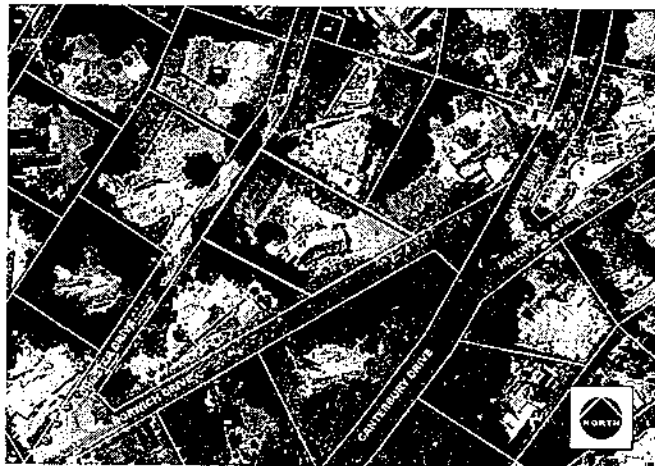


Figure 1: Aerial photograph

The following documents are submitted herewith:

- Application form
- Power of attorney
- General Plan
- Title deed
- Approved building plan
- SDP showing the unauthorised building work & land use (amended October 2019)

Member: THOMAS BRIAN BRÜMMER
Registration Number: B. Sc M(TRP) Pr Planner A/281/1985
Tommy Brummer CC: Registration Number: CK 94/032549/23
Vat Registration Number: 4900146830

2. Application for an admin penalty

755

In terms of Section 42(r), as contemplated in Section 129(1) of the Amendment By-law, 2016, application is made for the determination of an administrative penalty in respect of building work on the property which is not on an approved building plan (and which requires planning approval) as well as for the unauthorised land use.

Section 129 of the MPBL deals with "Administrative penalty" and reads as follows:

(1) A person who is in contravention of this By-Law, and who wishes to rectify the contravention in terms of Section 130, may apply to the City for the determination of an administrative penalty if the City has not issued a demolition directive (in terms of subsection 128) in respect of the land or building or part thereof concerned.

(2) A person making an application contemplated in subsection (1) must –

- (a) submit an application;
- (b) pay the prescribed fee;
- (c) provide the information contemplated in subsections (7) and (8); and
- (d) comply with the duties of an applicant in section 78.

• Section 129(7)(a)

This sub-section prescribes that if the MPT decides to impose a penalty for "building work in contravention of this By-Law", the Tribunal must determine an amount which may not be more than 100% of the value of the building, construction and engineering work unlawfully carried out, as determined by the City. The unauthorised building work covers an area of 284.82m² the total value of which, according to the cost table provided by the City, is R1 024 062.30, ie:

| Building works category | Cost per m ² | Extent in m ² | Value |
|-------------------------|-------------------------|----------------------------|----------------------|
| Outbuilding (dwelling) | R5 720.00 | 132.73m ² | R759 215.60 |
| Stoop | R1 330.00 | 100.48m ² | R133 638.40 |
| Timber deck | R2 530.00 | 19.86m ² | R 50 245.80 |
| 2.0m retaining walls | R2 550.00 | 31.75m ² | R 80 962.50 |
| Total value | | 284.82m² | R1 024 062.30 |

A penalty of between R0.00 and R1 024 062.30 can accordingly be imposed on the unauthorised building work.

• Section 129(7)(b)

This sub-section prescribes that if the MPT decides to impose a penalty for "land use contravention of this By-Law", it may not be more than 100% of the municipal valuation of the area that is used unlawfully, as determined by the City.

The area that is used unlawfully (size of the second dwelling) is 254.07m², which is 4.7% the area of Erf 125 (in extent 5432m²).

According to the City's valuation roll, the market value of Erf 125 Bishopscourt is R17.1m. 4.7% of the municipal valuation is R803 700.00. A penalty of between R0.00 and R803 700.00 can accordingly be imposed.

| VALUATION ROLL FOR THE CITY OF CAPE TOWN | | | | | | | | | | |
|---|---------------------|---|---------------------------------|----------------------------------|--|--|------------------|------------------------------|----------------|-------------|
| (in terms of section 48 of the Local Government Municipal Property Rates Act, no 6 of 2004) | | | | | | | | | | |
| GENERAL AND SUPPLEMENTARY VALUATION ROLL | | | | | | | | | | |
| Property Reference | Full names of Owner | Registered or other Description of the Property | Rating Category of the Property | Physical address of the Property | Extent of the Property (m ²) | Market value of the Property as at 1 July 2018 | Valuation Reason | Valuation Reason Description | Valuation Type | Effect Date |
| 125 BISHOPSCOURT | MORGAN AVELLA S | 125 | 125 | 35 NORWICH | 17 100.00 | 17 100 000 | | | 17 100 000 | 01-07-2018 |

- **Section 129(8)**

This subsection prescribes which factors must at least be considered by the MPT when considering an appropriate administrative penalty.

(a) *The nature, duration, gravity and extent of the contravention:*

Construction of the outbuilding commenced in April 2018 and finished in December 2018. The owner appointed the builder and requested alterations to the approved plans which resulted in the size of the outbuilding being increased and the use changed from a tennis pavilion to a second dwelling. The unauthorised building work (second dwelling, stoep, deck & retaining walls) covers an area of 284.82m². The unauthorised land use (second dwelling, stoep & deck) covers an area of 254.07m². The second dwelling is not rented out or used as AirB&B. The unit is intermittently used by family members who all live overseas.

(b) *The conduct of the person involved in the contravention:*

The unauthorised building work is the doing of the current owners who requested their builder to make alterations to the approved plans. The owners intend to obtain LUM and building plan approvals for the unauthorised work and land use and therefore wish to rectify the situation.

(c) *Whether the unlawful conduct was stopped:*

No notice was issued by an inspector so there was no "ignoring" of such notice by the owners.

(d) *Whether a person involved in the contravention has previously contravened this By-law or a previous planning law:*

No previous contraventions by the current owners.

3. Motivation

The value of the unauthorised building work and land use valuation totals R1 827 762.30. It is requested that a **penalty not exceeding 1% of this value (eg a penalty of R18 277.63)** be imposed on the owners of Erf 125 Bishopscourt, Christopher David Bentley Morgan and Amelia Anthea Morgan, for the following reasons:

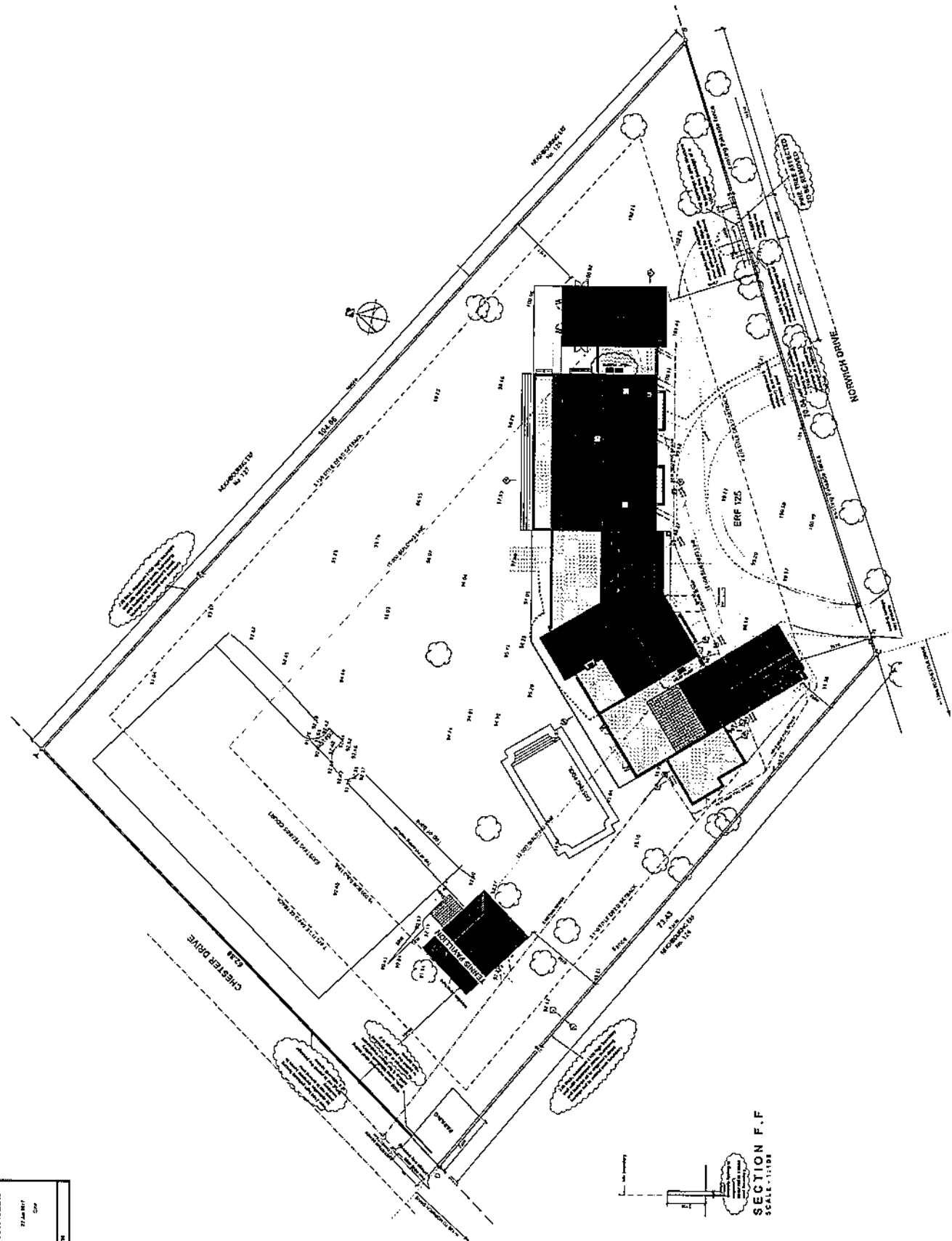
- The nature and impact of the unauthorised building work are considered minor with the second dwelling being for the use of the family (not rented out).
- The owners have not previously contravened the requirements of the By-Law or previous planning law.
- The owners wish to remedy the situation and have submitted the necessary LUM application which will, once granted, enable building plan approval for the deviations to the approved building plans.

Yours faithfully
TOMMY BRUMMER cc



Arina de Villiers

PLANNING & DESIGN
 1000 10th Street, N.E.
 Atlanta, Georgia 30309
 Phone: (404) 525-1000
 Fax: (404) 525-1001
 E-mail: info@planninganddesign.com
 Website: www.planninganddesign.com



SITE LAYOUT
 SCALE - 1/8" = 1'-0"

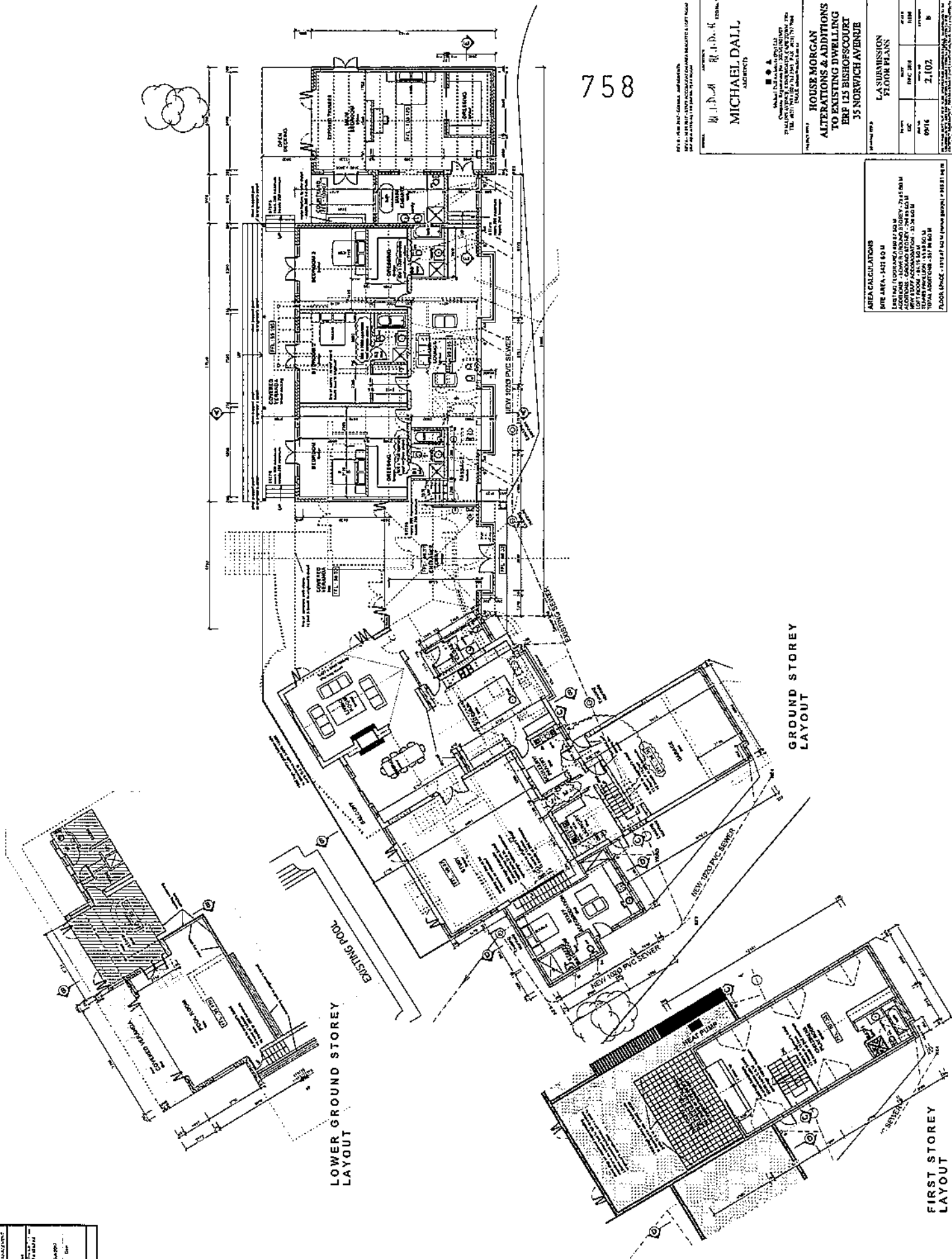
SECTION F.F.
 SCALE - 1/8" = 1'-0"

GENERAL NOTES
 1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODE (IBC) AND THE INTERNATIONAL RESIDENTIAL CODE (IRC).
 2. ALL FOUNDATIONS SHALL BE CONCRETE ON COMPACTED FILL.
 3. ALL EXTERIOR WALLS SHALL BE CONCRETE BLOCK OR CMU WITH EXTERIOR FINISH.
 4. ALL INTERIOR WALLS SHALL BE GYPSONUM BOARD WITH PLASTER OR DRYWALL.
 5. ALL FLOORS SHALL BE CONCRETE OR GYPSONUM BOARD ON JOISTS.
 6. ALL ROOFS SHALL BE ASPH/FLT SHINGLES.
 7. ALL WINDOWS SHALL BE DOUBLE GLAZED, LOW E-EMISSIVITY.
 8. ALL DOORS SHALL BE SOLID CORE.
 9. ALL EXTERIOR FINISHES SHALL BE IN ACCORDANCE WITH THE ARCHITECT'S SCHEDULE.
 10. ALL INTERIOR FINISHES SHALL BE IN ACCORDANCE WITH THE ARCHITECT'S SCHEDULE.
 11. ALL MECHANICAL, ELECTRICAL, AND PLUMBING (MEP) SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL ELECTRICAL CODE (NEC), THE NATIONAL PLUMBING CODE (NPC), AND THE NATIONAL MECHANICAL CODE (NMC).
 12. ALL MECHANICAL, ELECTRICAL, AND PLUMBING (MEP) SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL ELECTRICAL CODE (NEC), THE NATIONAL PLUMBING CODE (NPC), AND THE NATIONAL MECHANICAL CODE (NMC).
 13. ALL MECHANICAL, ELECTRICAL, AND PLUMBING (MEP) SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL ELECTRICAL CODE (NEC), THE NATIONAL PLUMBING CODE (NPC), AND THE NATIONAL MECHANICAL CODE (NMC).
 14. ALL MECHANICAL, ELECTRICAL, AND PLUMBING (MEP) SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL ELECTRICAL CODE (NEC), THE NATIONAL PLUMBING CODE (NPC), AND THE NATIONAL MECHANICAL CODE (NMC).
 15. ALL MECHANICAL, ELECTRICAL, AND PLUMBING (MEP) SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL ELECTRICAL CODE (NEC), THE NATIONAL PLUMBING CODE (NPC), AND THE NATIONAL MECHANICAL CODE (NMC).

757

ANNEXURE D
 MICHAEL DALL
 ARCHITECT
 1000 10th Street, N.E.
 Atlanta, Georgia 30309
 Phone: (404) 525-1000
 Fax: (404) 525-1001
 E-mail: info@michaeldall.com
 Website: www.michaeldall.com

| SUBMISSION | | | |
|-------------|--------------|----------|--------|
| SITE LAYOUT | | | |
| Project | House Morgan | Sheet | 1 of 1 |
| Client | House Morgan | Date | 09/15 |
| Scale | 1/8" = 1'-0" | Area | 2,101 |
| Author | Michael Dall | Reviewer | S |



758

ARTICLE 14 - LEASE AGREEMENT FOR THE USE OF THE FACILITY

MICHAEL DALL
 ARCHITECTS
 401 J. D. M. R. I. D. A. H.
 120 N. W. 10th

Michael Full Associates (Pty) Ltd
Company Registration No : 2023410107
27 MALES DRIVE, KENNERLEY, CAPE TOWN 7951
TEL: 021 751 1974 FAX: 021 751 7094

**HOUSE MORGAN
ALTERATIONS & ADDITIONS
TO EXISTING DWELLING
ERP 125 BISHOPSCOURT
35 NORWICH AVENUE**

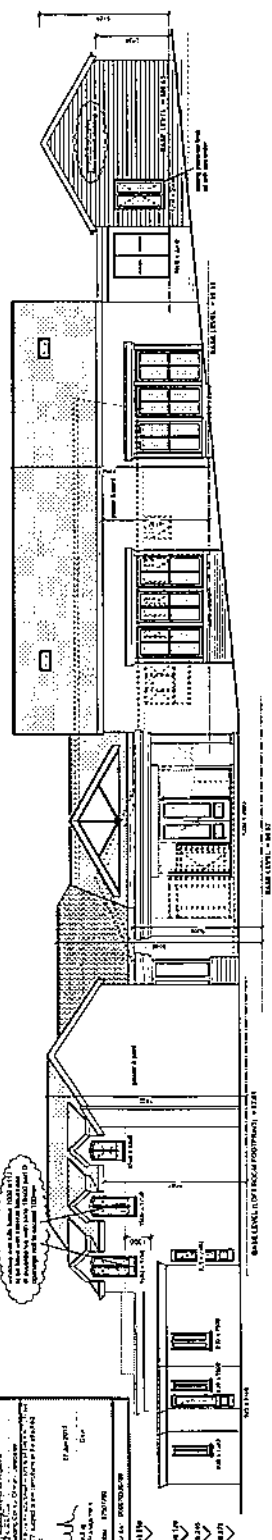
| | | | | | |
|------|-------|----|-------|------|-------|
| DATE | 09/16 | BY | 2,102 | DATE | 11/04 |
| REV | | BY | | DATE | |

AREA CALCULATIONS

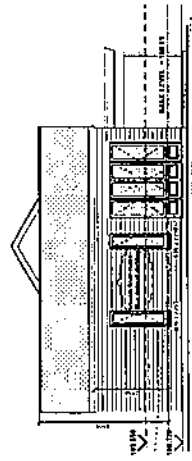
| | |
|--|--|
| DATE AREA - 3421 6.0 M | |
| EXISTING FLOOR AREA 480 37 SQ M | |
| ADDITIONS - ROOMS IN CIRCULAR TOWER - 71.45 SQ M | |
| ADDITIONS - GARDENS ATTACHED - 74.4 6.0 M | |
| NEW STUDY ACCOMMODATION - 31.36 6.0 M | |
| LEFT ROOM - 18.15 6.0 M | |
| TOTAL ADDITIONS - 195.36 6.0 M | |
| FLOOR SPACE - 1916.47 6.0 M (NET AREA) = 1916.47 6.0 M | |

CITY OF CHICAGO
 DEPARTMENT OF PLANNING & DEVELOPMENT
 DIVISION OF PLANNING & DEVELOPMENT
 120 N. LaSalle Street, 15th Floor
 Chicago, IL 60602
 TEL: (312) 321-2000
 FAX: (312) 321-2001
 WWW: www.cityofchicago.org

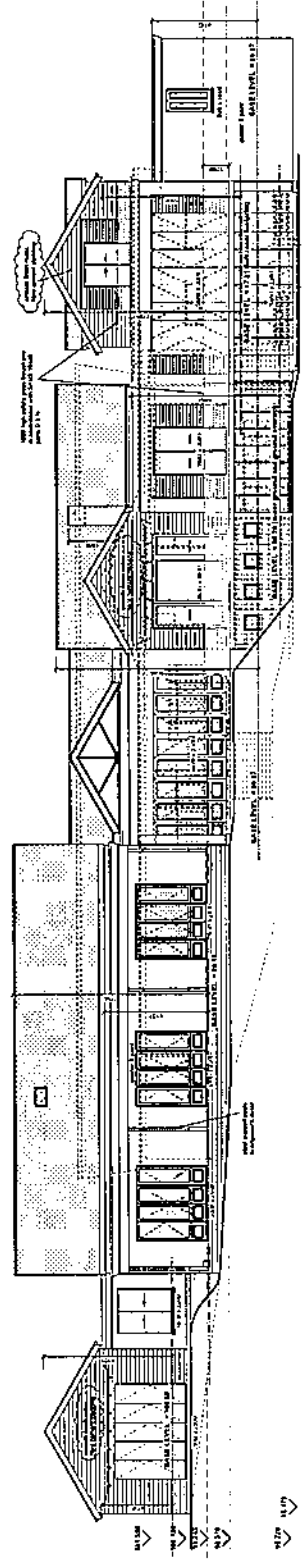
PROJECT INFORMATION
 PROJECT NAME: HOUSE MORGAN
 PROJECT ADDRESS: 123 BISHOPSCOURT
 PROJECT CITY: CHICAGO, IL 60602
 PROJECT STATE: ILLINOIS
 PROJECT COUNTRY: UNITED STATES OF AMERICA
 PROJECT DATE: 09/11/11
 PROJECT DRAWN BY: [Signature]
 PROJECT CHECKED BY: [Signature]
 PROJECT APPROVED BY: [Signature]



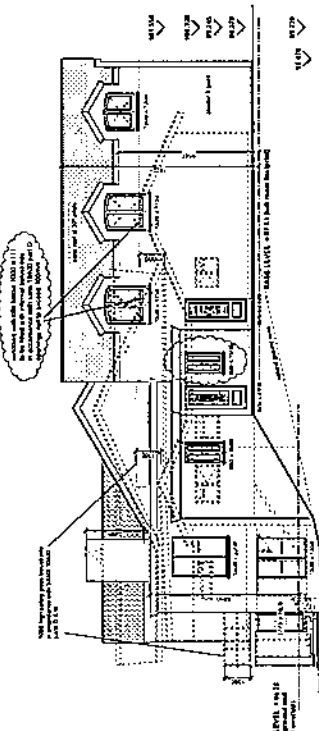
SOUTH ELEVATION



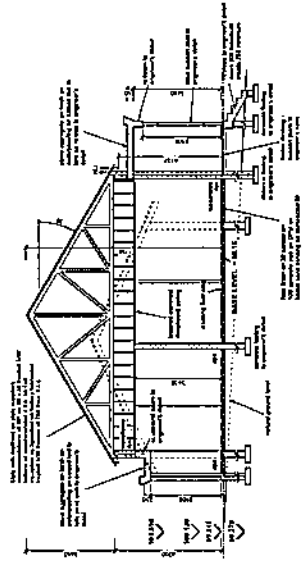
EAST ELEVATION



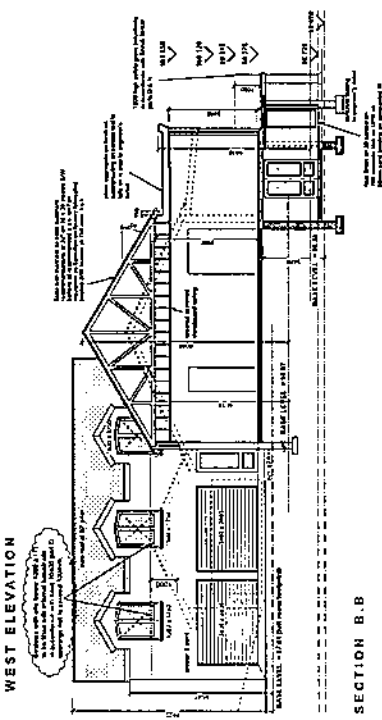
NORTH ELEVATION



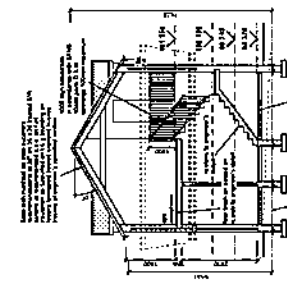
WEST ELEVATION



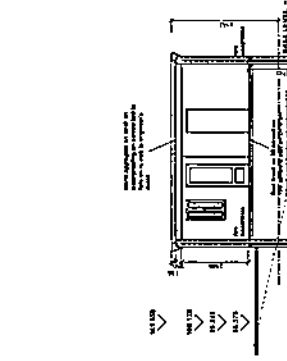
SECTION A.A.



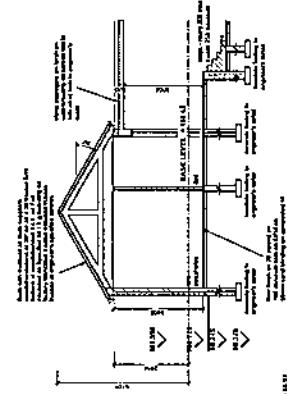
SECTION B.B.



SECTION C.C.



SECTION D.D.



SECTION E.E.

759

759
 MICHAEL DALL
 ARCHITECTS

HOUSE MORGAN
 ALTERATIONS & ADDITIONS
 TO EXISTING DWELLING
 123 BISHOPSCOURT
 15 NORWICH AVENUE

| SUBMISSION | | | |
|------------|-------|----------|-------|
| DATE | BY | REVISION | NOTES |
| 09/11/11 | 2.103 | | |

GENERAL NOTES
 1. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF CHICAGO BUILDING CODE, 2012 EDITION, AND THE ILLINOIS BUILDING CODE, 2012 EDITION.
 2. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF CHICAGO PLUMBING CODE, 2012 EDITION, AND THE ILLINOIS PLUMBING CODE, 2012 EDITION.
 3. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF CHICAGO ELECTRICAL CODE, 2012 EDITION, AND THE ILLINOIS ELECTRICAL CODE, 2012 EDITION.
 4. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF CHICAGO MECHANICAL CODE, 2012 EDITION, AND THE ILLINOIS MECHANICAL CODE, 2012 EDITION.
 5. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF CHICAGO FIRE CODE, 2012 EDITION, AND THE ILLINOIS FIRE CODE, 2012 EDITION.
 6. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF CHICAGO LANDMARK PRESERVATION ACT, 2012 EDITION, AND THE ILLINOIS LANDMARK PRESERVATION ACT, 2012 EDITION.
 7. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF CHICAGO HISTORIC PRESERVATION ACT, 2012 EDITION, AND THE ILLINOIS HISTORIC PRESERVATION ACT, 2012 EDITION.
 8. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF CHICAGO ENVIRONMENTAL PROTECTION ACT, 2012 EDITION, AND THE ILLINOIS ENVIRONMENTAL PROTECTION ACT, 2012 EDITION.
 9. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF CHICAGO ANTI-DISCRIMINATION ACT, 2012 EDITION, AND THE ILLINOIS ANTI-DISCRIMINATION ACT, 2012 EDITION.
 10. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF CHICAGO FAIR HOUSING ACT, 2012 EDITION, AND THE ILLINOIS FAIR HOUSING ACT, 2012 EDITION.

Female Prison (Femur Prison) in the Female Prison (Femur Prison) area. The plan shows a central 'ENTERTAINMENT' area with a 'TV' and 'SOUND' system, flanked by 'FEMALE CHANGING ROOM' and 'MALE CHANGING ROOM'. A 'BATHROOM' is located between the changing rooms. The plan includes dimensions, room numbers, and various annotations in German and English. A scale bar at the bottom indicates distances from 0 to 1000 meters. A north arrow is located in the top left corner.

The diagram illustrates a roof drainage system. At the top, a roof surface is shown with a central drainage channel. Arrows indicate water flowing from the roof into this channel. Below the channel, the water flows into a larger sump or collection area. Arrows show the water level rising in the sump, with labels indicating '100% WATER' and '100% AIR' to represent the air/water ratio. The sump is shown with a sloped bottom and a vertical wall on the right side.

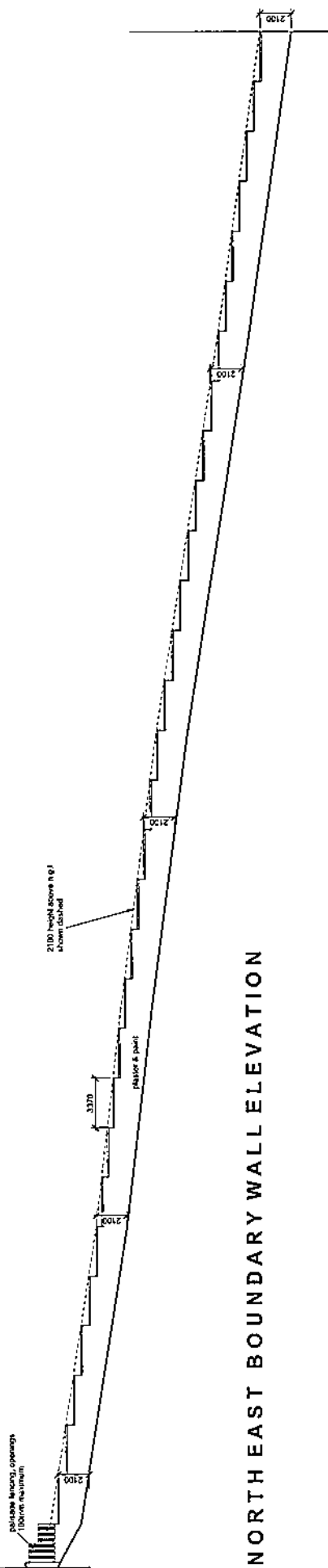
Architectural drawing of a building elevation, likely a porch or entrance area. The drawing includes the following annotations:

- Top Left:** "BASE LEVEL 10' 0" OF ROAD" and "BASE 10' 0" 10' 0"
- Top Right:** "760"
- Left Side:** "GRADE WITH MATERIAL AS STATE SUPPLIERS RECOMMENDATION TO 30' DEGREE ON 30' 30' SLOPED BANKS AT RECOMMENDED CTR. ON 20mm UG PREPARED PAVING @ 1200 YDS CAMPUS W/ADDITIONAL PAVING AS REQUIRED"
- Center:** "1000 HIGH BUILT UP STAIRS TO BE CONSTRUCTED IN CONCRETE WITH STAIRWAYS TO BE USED FOR STAIRS TO ADJACENT BUILDING"
- Right Side:** "STAIRS TO BE 18' 0" STAIRS TO BE 18' 0" STAIRS TO BE 18' 0"
- Bottom Left:** "1000 HIGH BUILT UP STAIRS TO BE CONSTRUCTED IN CONCRETE WITH STAIRWAYS TO BE USED FOR STAIRS TO ADJACENT BUILDING"
- Bottom Center:** "CORR. FOOTING TO ENGINEER'S DETAILS"
- Bottom Right:** "FLOOR: Floor finish to min. 35' applied on min. 100' concrete slab on 4' 0" UG CAN. 25' JARS SETTING ON WALL TO BE SPECIFIED AS"

the photochemical reaction and the formation of the polymer.

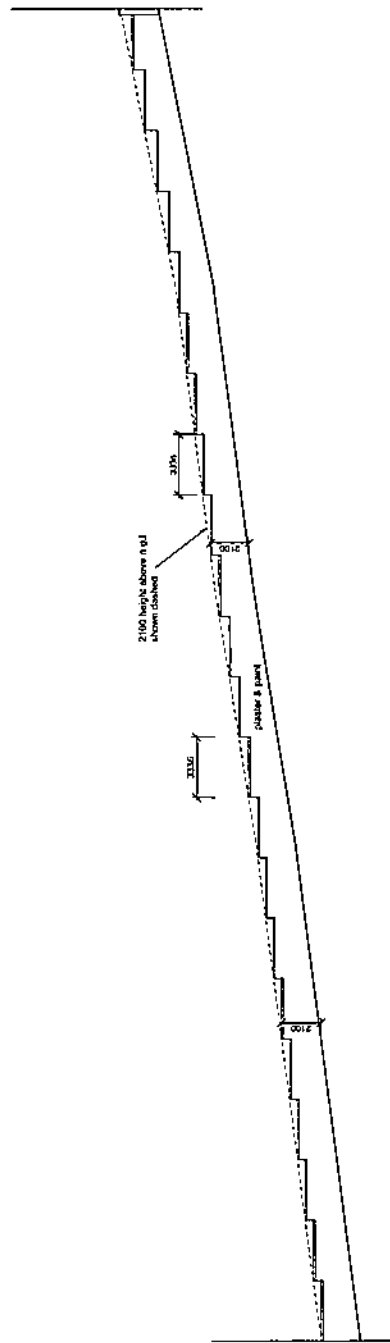
[illegible][illegible]

NORTH EAST ELEVATION


[illegible]

NORTH EAST BOUNDARY WALL ELEVATION

761



SOUTH WEST BOUNDARY WALL ELEVATION

| | | |
|--|--|---|
| <p>GRANT: <i>W. J. D. A</i></p> <p>ARCHITECT: <i>W. J. D. A</i></p> <p>DATE: 01/01/2006</p> | <p>MICHAEL DALL
ARCHITECTS</p> | |
| <p> 
 Michael Morgan Architects (Pty) Ltd
 Company Registration No: 2006/010940/OT
 17 MARAIS AVENUE, KESTERHOF, CAPE TOWN 7706
 TEL: (021) 951 1511 FAX: (021) 951 1504
 EMAIL: admin@morgan.co.za </p> | | |
| <p>PROJECT TYPE</p> <p>HOUSE MORGAN
ALTERATIONS & ADDITIONS
TO EXISTING DWELLING
BRIEF 125 BISHOPS COURT
35 NORWICH AVENUE</p> | | |
| <p>DRAWING TITLE</p> <p>L.A. SUBMISSION
LATERAL BOUNDARY WALL
ELEVATIONS</p> | | |
| <p>SCALE</p> <p>FILE</p> <p>NO. OF</p> <p>09/116</p> | <p>DATE</p> <p>JUNY 2007</p> <p>SPEC. NO.</p> <p>2.105</p> | <p>SCALE</p> <p>1:500</p> <p>SECTION</p> |
| <p><small>THIS DOCUMENT IS THE PROPERTY OF MICHAEL DALL ARCHITECTS. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. IT IS NOT TO BE REPRODUCED, COPIED, EITHER WHOLLY OR IN PART, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF MICHAEL DALL ARCHITECTS.</small></p> | | |


5

DARROLLS ATTORNEYS
 Thibault Chambers
 30 Avenue Thibault
 Newlands 7700
 Cape Town
 South Africa

Prepared by me

 ATTORNEY AND CONVEYANCER
 ROLAN WILLIAM DARROLL

| | | | |
|--------|-----------------|---------|----|
| Amount | R 10 000 000,00 | Section | 35 |
| Amount | | Page | |
| Amount | | Page | |

| | |
|---------------------------|---|
| VERBOD MORTGAGED | |
| VR FOR R 10 000 000,00 | |
| B 000014959 / 2016 |  |
| 12 JUN 2016 | REGISTRAR/REGISTRAR |

DEED OF TRANSFER

000034164 / 2016

BE IT HEREBY MADE KNOWN THAT

GEORGE ANDRÉ RAUBENHEIMER

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 Newlands on 5 February 2016 granted to him by

The Trustees for the time being of
THE MAJK FAMILY TRUST
 Registration Number IT12880/06

DATA / VERIFY
 27
 LIVERPOOL

Certified a true photocopy of
 the original


 ATTORNEY and CONVEYANCER

HAEL RHODES COLLINS
 MISSIONER OF OATHS

DATA / CAPTURE
 21 JUN 2016
 MAGRI TANARA

GhaatCenry 15.6.7.3

Page 2

And the appraiser declared that his said principal had, on 13 December 2015, truly and legally sold by Private Treaty, and that he, the said Appraiser, in his capacity aforesaid, did, by virtue of these presents, cede and transfer to and on behalf of:

CHRISTOPHER DAVID BENTLEY MORGAN
Date of Birth : 8 December 1960

And

AMELIA ANTHEA MORGAN
Identity Number 6403160216083

Married in community of property to each other

their Heirs, Executors, Administrators or Assigns,

**ERF 128 BISHOPSCOURT, IN THE CITY OF CAPE TOWN, DIVISION CAPE,
PROVINCE OF THE WESTERN CAPE**

**IN EXTENT 5432 (FIVE THOUSAND FOUR HUNDRED AND THIRTY TWO)
Square metres**

FIRST TRANSFERRED by Deed of Transfer Number 3238/1960 with Diagram Number 671/60 annexed thereto and held by Deed of Transfer Number T36077/09

A. SUBJECT to the conditions referred to in Deed of Transfer Number T3238/1960.

B. SUBJECT FURTHER to the following condition contained in amended Deed of Grant issued under the provisions of Act Number 9 of 1879 in favour of the Council of the Colonial Bishops Fund, dated 15th June 1901 (Cape Quibrents Volume 40 Number 20), reading:-

(b) That the wagon road running over the land shall remain free and undisturbed.

C. SUBJECT FURTHER to the special conditions contained in Deed of Transfer Number T7598/1938, and enumerated 3(v), (v) and (vi) as having been imposed by the Transferors, the Council of the Colonial Bishops Fund of the Church of the Province of South Africa, in their favour for the benefit of themselves and their successors in title as owners of "Bishops Court" held by them by Certificate of Registered Title Number T7598/1938, which said conditions read as follows:-

(iv) That not more than three public garages shall be erected on the land hereby conveyed, nor shall such garages be erected within two hundred and eighty-three decimal three seven (283,37) metres of any boundary of "Bishop's Court";

(v) That no more than three hotels shall be erected on the land hereby conveyed, such hotels not to be erected within two hundred and eighty-three decimal three seven (283,37) metres of any boundary of "Bishop's Court";

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MICHAEL RHODES COLLINS
COMMISSIONER OF OATHS
PRACTISING ATTORNEY R.S.A.
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11 BUITENGRACHT STREET
CAPE TOWN

Page 3

- (vi) No shops shall be erected on the land hereby conveyed within seventy-eight decimal seven one (78,71) metres of any such boundary."

D. SUBJECT FURTHER AND ENTITLED to the benefit of the following condition contained in Deed of Transfer Number T7596/1936, namely

"That in any subdivision of 'Bishop's Court' or Lot C.8 held by Certificate of Registered Title dated 26th day of July 1936, Number 7975 in favour of the Council of the Colonial Bishoprics fund, the lots bordering on each boundary thereof shall be similar in extent to the lots of the land hereby conveyed on opposite side of such boundary lines."

E. NOT SUBJECT to condition E on page 3, by virtue of Section 53 of the Mining Titles Registration Amendment Act 24 of 2003

F. SUBJECT FURTHER to the following special conditions contained in Deed of Transfer Number T3239/1960, imposed by the Administrator of the Province of the Cape of Good Hope in terms of Section 18 of Ordinance Number 33 of 1934 when approving the said Township of Bishopscourt (Extension Number 2) namely:-

- (1) Any words and expressions used in the following conditions shall have the same meaning as may have been assigned to them by the regulations published under the Provincial Administration Notice Number 401 dated 17th October 1936, and in the memorandum which accompanied the said regulations;
- (2) The owner of this erf shall without compensation be obliged to allow water and electricity mains and the sewage and drainage including stormwater of any other erf or erven to be conveyed across this erf if deemed necessary by Bishopscourt Estate Cape (Proprietary) Limited, the local authority or by the Council for the Municipality of the Cape Town if and when the township off which this erf forms a portion is included within the City of Cape Town and in such manner and position within 3,15 metres of the rear or lateral boundary common to any adjoining erf as may from time to time be reasonably required by the said Bishopscourt Cape Estate (Proprietary) Limited, the local authority or by the said Council of the Municipality of Cape Town. This shall include the right of access to the erf at any reasonable time in order to construct, maintain, alter, remove or inspect any water or electricity main, sewer, manhole, channel, conduit or other works pertaining thereto;
- (3) The Owner of this erf shall be obliged, without compensation, to receive the material or permit excavation on the erf, as may be required to allow use of the full width of the street and provide a safe and proper slope to the bank owing to difference between the levels of the street as finally constructed and the erf, unless he elects to build retaining walls to the satisfaction of and within a period to be determined by the local authority.
- (4) This erf shall be subject to the following further conditions provided especially that where, in the opinion of the Administrator after consultation with the Township Board and the local authority, it is expedient that the restriction in any such condition shall at any time be suspended or relaxed he may be authorize the necessary suspension or relaxation subject to compliance with such conditions as he may impose:-

- (a) It shall not be subdivided;

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11 BUITENGRACHT STREET
CAPE TOWN

- (b) It shall be used only for the purpose of erecting thereon one dwelling together with such outbuildings and ancillaries as are ordinarily required to be used therewith;
- (c) Not more than half the area thereof shall be built upon;
- (d) No building or structure or any portion thereof except boundary walls and fences shall be erected nearer than 7,67 metres to the street line which forms a boundary of this erf or within 3,15 metres of the rear or lateral boundaries thereof, provided that if the slope of the land necessitates it, a garage may be erected on this erf nearer to the street line boundary, on condition that the roof of such garage does not project more than 0,94 metres above the natural level of the surrounding ground and the building is not erected nearer than 1,41 metres to the street line boundary of this erf. Provided further that should two or more contiguous erven be registered in the name of the same owner such erven may be consolidated, whereupon the consolidated holding shall become one erf in the Township and all the conditions shall apply to it as being one erf.

G. SUBJECT FURTHER to the following conditions contained in Deed of Transfer Number T3239/1960, imposed by Bishopscourt Estate Cape (Proprietary) Limited for the benefit of itself and its successors in title as owners of the remaining extent of the land held under Certificate of Uniform Title Number T6105/1954 (the word "Company" wherever used in the following conditions shall mean Bishopscourt Estate Cape (Proprietary) Limited), namely:-

- (1) That this erf be used for residential purposes only. No shop or hotel and no commercial or industrial business or advertising of any kind trade or profession except the medical profession, shall be carried on thereon;
- (2) Plans of all dwelling houses and outbuildings be erected on this erf and of alterations to any buildings already erected, including drainage and sewerage plans, elevations and specifications in duplicate with an Architect's or Quantity Surveyor's estimate of costs and construction, must be submitted to the said Company and the Local Authority, and its written approval obtained before any such building or erections or structures are commenced by the owner of the erf. The said approval may be refused, or issued subject to such conditions as the Company may wish to impose. The estimate costs and construction and one copy of the plans shall be retained by the Company.
- (3) The amount of the final cost for the erection of any dwelling house and outbuildings on this erf shall be not less than R7000,00 unless the written consent of the said Company has been obtained for the erection of such house and buildings at a lesser cost;
- (4) No system of drainage or sewerage shall be constructed on this erf unless and until plans for same have been duly approved in writing by the Company. The approval by the Company may be made subject to such conditions as may seem expedient;
- (5) No night soil, refuse, rubbish, slopwater or other water or offensive matter shall be allowed to accumulate on any portion of this erf;

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Chief Clerk T5.6.7.2

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Page 5


- (6) In the event of the Company having laid any drains or sewers, in any street abutting on this erf, the owner of this erf shall have the right of servitude to connect at his own costs to such drains or sewers, and for such right of servitude the owner shall be bound to pay an annual sum of R107,40 to the Company on the first working day in January in each and every year, the liability for which shall cease upon the incorporation of the erf in any Municipal or Village Management Board Area.

The Company, through its officials, workmen or duly authorised agents, shall have the right to enter upon this erf or any subdivision thereof at all reasonable times for the purpose of checking, recording, repairing, altering or removing any structural works constructed in terms of this conditions.

Nothing in this condition shall be taken to relieve the owner from any charges levied by the Company or any Local Authority for the disposal or treatment of any drainage or sewerage discharged from this erf into such drain or sewers;

- (7) No sand, soil, gravel, or other similar material shall be removed from this erf without the written consent of the Company;
- (8) No electric generating plant, windmill, or wind operated machinery shall be established on this erf without the written consent of the Company;
- (9) No galvanised iron, corrugated aluminium or asbestos or similar material shall be used to enclose or fence the said erf, nor shall it be used for the construction of the roof or any portion of a building erected on the said erf;
- (10) No Trees known as Port Jackson Willow and as Wattle Trees shall be planted, cultivated or allowed to flower on this erf without the written consent of the Company first obtained;
- (11) Should the Administrator consent, under the provisions of Condition F (4) to the subdivision of any erf then each sub-divided portion may only be disposed of to the owner of an adjoining erf, who shall simultaneously consolidated his erf by means of a Certificate of Consolidated Title, with the portion subsequently acquired, and thereafter such consolidated area shall be regarded as one erf for the purpose of these conditions.

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CAPE TOWN


DATE: 12-07-22

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

THE MAJK FAMILY TRUST
Registration Number IT12860/06

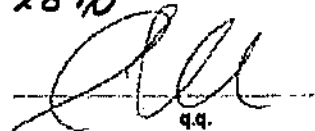
heretofore had to the premises, did in consequence also acknowledge them to be entirely dispossessed of, and disentitled to the same, and that by virtue of these presents, the said

CHRISTOPHER DAVID BENTLEY MORGAN and AMELIA ANTHEA MORGAN, Married as aforesaid

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 R16 000 000,00 (SIXTEEN 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 15th June 2016


q.q.

In my presence


REGISTRAR OF DEEDS

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ATTORNEY AND CONVEYANCER
MICHAEL RHODES COLLINS
COMMISSIONER OF OATHS
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CAPE TOWN


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OWNER NAME: MORGAN AMELIA & MORGAN CHRISTOPHER

| | | |
|--|---|--|
| <p>PUBLIC NOTICE CALLING FOR INSPECTION OF THE 2018 GENERAL VALUATION ROLL AND LODGING OF OBJECTIONS</p> <p>This communication contains: • The new valuation of the property. • Public inspection and objection process. • Public inspection venues. • General questions and answers.</p> | <p>ISAZISO ESILJOLISWE KULUNTU SEKHWELO LOKUBA KUHLIOLWE ULUHLU LEZOQINGQO-MAXABISO NGOKUPHANGALELEYO LWANGO-2018 NOKUNGENISWA KWEZICHASO</p> <p>Le mbalelwano iqulathe:</p> <ul style="list-style-type: none"> • Uqingqo-maxabiso olutsha lwepropati, • Ingcaciso yenkqubo yohlolo luluntu kwaneyokufaka isichaso. • Uluhlu lweendawo zohlolo zoluntu • Imibuzo ngokubanzi neempendulo. | <p>OPENBARE KENNISGEWING OOR BESIGTING VAN DIE ALGEMENE WAARDASIELYS VIR 2018 EN INDIENING VAN BESWARE</p> <p>Hierdie kommunikasie bevat:</p> <ul style="list-style-type: none"> • Die nuwe waardasie van die eiendom • Proses vir openbare insae en beswaar • Lokale vir openbare insae • Algemene vrae en antwoorde |
| <p>In terms of the provisions in sections 48 and 49 of the Municipal Property Rates Act, Act 6 of 2004, hereinafter referred to as the Act, I hereby furnish the particulars which are applicable to the under-mentioned property included in the 2018 General Valuation Roll.</p> | <p>Ngokwemimiselo yamacandelo-48 nele-49 oMthetho ongamaXabiso eePropati zikaMasipala onguNomb.6 wango-2004, nekuthi emva koku kubhekiselwe kuwo ngokuba nguMthetho, ke ngoko ndinikezela ngeenkukacha apho zijoliswe kwipropati ekhankanywe ngezantsi apha ebandakanyiweyo kuLuhlu loQingqo-maxabiso ngokuphangaleleyo lwango-2018.</p> | <p>Ingevolge die bepalinge van artikel 49 en 49 van die Wet op Munisipale Eiendomsbelasting, Wet 6 van 2004, hierna die Wet genoem, verskaf ek die besonderhede wat betrekking het op die ondergenoemde eiendom wat in die bogenoemde algemene waardasielys vir 2018 ingesluit is.</p> |
| <p>Registered / other description of the property
Inkcazelo ebhalisiweyo okanye elolunye uhlobo yepropati
Geregistreerde / ander beskrywing van die eiendom</p> | <p>125 BISHOPSCOURT
CCT013346600000</p> | |
| <p>Rating Category of Property
Udidi lweXabiso lePropati
Graderingskategorie Kategorie Van Eiendom</p> | <p>RESIDENTIAL</p> | |
| <p>Physical Address
Idilesi yeNdawo
Fisieke adres</p> | <p>35 NORWICH BISHOPSCOURT</p> | |
| <p>Extent of the land
Ubukhulu bomhlaba
Grootte Van Grond</p> | <p>5432</p> | |
| <p>Effective Date
Umhla Wokuqaliswa
Intreedatum</p> | <p>01-07-2019</p> | |
| <p>Market Value
Ixabiso leNtengiso
Markwaarde</p> | <p>R 17,100,000</p> | |

Municipal Valuer / uMqinqqi-maxabiso kaMasipala / Munisipale Waardeerder

For more information:
Sharecall: 086 010 3089
Fax: 0865886042
Email: valuationsobjection@capetown.gov.za
Web: www.capetown.gov.za/propertyvaluations/

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