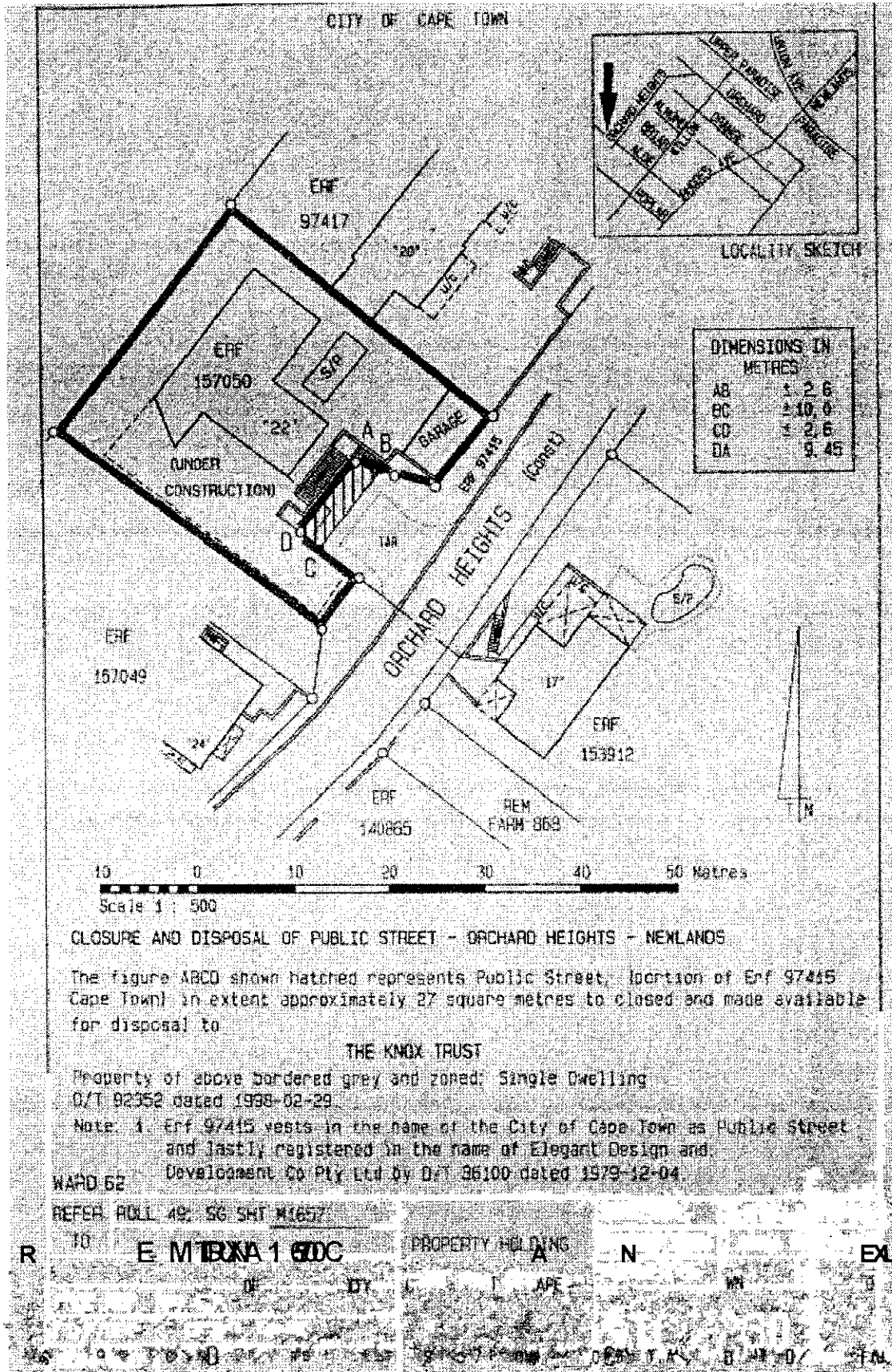


ANNEXURE A



ANNEXURE B

MINUTES: SUBCOUNCIL 20

31

20 JANUARY 2016

e) Subject to such further Conditions to be imposed by the Director: Property Management in terms of her Delegated Authority.

f) Subject to compliance with any other statutory requirements.

g) No compensation will be payable for any improvement made to the property, with or without the consent of Council, should the lease be terminated for any reason whatsoever.

h) All outstanding accounts with the City of Cape Town must be settled.

ACTION: Donavon Geysman and Patricia Davis

Cllr Bew returned to the Chamber.

20SUB40/01/16

PROPOSED CLOSURE AND ALIENATION OF CITY-OWNED IMMOVABLE PROPERTY, A PORTION OF ERF 97415 CAPE TOWN (PUBLIC STREET) OFF ORCHARD HEIGHTS, NEWLANDS: THE KNOX TRUST

The Subcouncil was informed that there would be no further development and that the occupancy certificate could not be obtained.

The recommendation to endorse approval was put to the vote, by show of hands:

| | |
|-------------|---|
| In Favour: | 9 |
| Against: | 0 |
| Abstention: | 1 |

The recommendation to endorse approval was declared carried by majority vote.

RESOLVED TO RECOMMEND

- Subcouncil 20 recommends that Council resolve in terms of Section 14 of the Local Government: Municipal Finance Management Act, Act 56 of 2003, that the property is not required to provide the minimum level of basic municipal services.
- In terms of the provisions of article 6 of the By-Law relating to the Management and Administration of the City of Cape Town's Immovable Property, that a portion of Erf 97415 Cape Town (public street), Orchard Heights, Newlands as indicated on the attached plan STC 2260 marked Annexure A, be closed.
- Portion of public street, being a portion of Erf 97415 Cape Town situated off Orchard Heights, Newlands shown hatched and lettered ABCD on the attached sketch STC 2260 marked Annexure A, in extent approximately 27 m², to the Knox Trust, owner of Erf 157050 Cape Town or their successors in title, be approved subject to *inter alia* the following Conditions, that:

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- i. A market-related purchase price of R100 000 excluding VAT of 14% where applicable, being R14 000 (in total R114 000), be payable.
- ii. The purchase price will escalate at 6% per annum from date of valuation, i.e. as from 2015-02-28, until date of transfer.
- iii. Rates and municipal charges, if applicable, be levied.
- iv. Subject to such further Conditions to be imposed by the Director: Property Management in terms of her Delegated Authority; including that all incidental costs will be borne by the purchaser.
- v. Subject to compliance with any other statutory requirements.

ACTION: Donavon Geysman and Bibi Aysha Zoutenberg

20SUC41/01/16 **PROPOSED LEASE OF CITY LAND, BEING A PORTION OF ERF 66916, CAPE TOWN, ABUTTING ERF 91419, PIERS ROAD, WYNBERG: HABLUTZEL PROPERTIES CC**

The Subcouncil unanimously supported the recommendation.

RESOLVED TO RECOMMEND

Subcouncil 20 **recommends** that the lease of City land, being portion of Erf 66916, Cape Town, situated at Piers Road, Wynberg, shown hatched and lettered ABCD on the attached sketch WVT 25837, marked Annexure A, in extent approximately 59m², to Hablutzel Properties CC, the owner of Erf 91419, or its successors in title, **be approved** subject *inter alia* to the following Conditions, that:

- a) A market-related rental of R600 per month, excluding VAT of 14% where applicable, being R84 (in total – R684), be payable on the following rental structure. The rental will be adjusted on the basis of 8% per annum.
 - Year 1 – R300,00 per month
 - Year 2 – R500,00 per month
 - Year 3 – R700,00 per month
 - Year 4 – R900,00 per month
 - Year 5 – R1 119,00 per month
- b) The lease term is for a period of 10 years, the rental to be reviewed after five years;
- c) The property only be used for parking and security purposes;
- d) Subject to such further conditions to be imposed by the Director: Property Management in terms of her delegated authority;
- e) Subject to compliance with any other statutory requirements.

ANNEXURE C

*Annexure***VALUATION SYNOPSIS : DISPOSAL OF PORTION OF ERF 97415, CAPE TOWN, AT NEWLANDS, TO THE KNOX TRUST****Brief and background**

Market Valuations was asked to estimate the market value of a portion of Erf 97415, Cape Town (hereafter 'the subject property'), which is proposed to be sold to The Knox Trust (hereafter 'the applicant').

The subject property measures approximately 27m² and is shown hatched and lettered ABCD on plan STC 2260.

This is a long outstanding matter, as in October 2011 a sale's price of R110 000 was asked, but the transaction was never finalised. Then in July 2014 an initial monthly rental of R415, excluding VAT and assessment rates, was estimated, but again the transaction was not concluded as it was decided that a lease would not suffice as the applicant's building encroaches the subject property.

Our most recent valuation has been requested to facilitate the purchase of the subject property and the date of valuation is 2015-02-28.

Valuation methodology

The *comparable-sales method* was used to value the subject property; this approach provides an estimation of value by comparing the subject property with identical or similar properties for which sale's information is available.

Market research on comparable land sales

The following sales were used to deduce the market value of the subject property.

| Comparable sales transactions | | | | | | |
|-------------------------------|-----------------------|------------------------|--------------------|--------|------------------|------------------------------|
| # | Description | Area (m ²) | Sale's information | | | Comments |
| | | | Date | R | R/m ² | |
| 1 | Erf 40452, Cape Town | 595 | 04/2013 | R2,00m | R3 361 | Upper Paradise Road Fernwood |
| 2 | Erf 163533, Cape Town | 495 | 04/2011 | R1,91m | R3 850 | Upper Holly Street, Fernwood |
| 3 | Erf 163525, Cape Town | 496 | 03/2013 | R1,83m | R3 679 | Upper Holly Street, Fernwood |
| 4 | Erf 116144, Cape Town | 495 | 11/2013 | R1,82m | R3 669 | Thorn Street, Fernwood |
| 5 | Erf 163544, Cape Town | 495 | 06/2012 | R1,85m | R3 729 | Thorn Street, Fernwood |

Source: Deeds Office and CMA.

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Conclusion

Based on the evidence the market value of the applicant's is deemed to be in the order of R3 650/m² of land; hence, the market value of the subject property was estimated as follows:

$$27 \text{ m}^2 \times \text{R}3\,650/\text{m}^2 = \text{R}100\,000 \text{ (excluding VAT) (rounded)}$$

Recommendation

It is recommended that:

- (i) Portion of Erf 97415, Cape Town, shown hatched and lettered ABCD on plan STC 2260 and measuring approximately 27m² in extent, be disposed of to The Knox Trust for the sum of **R100 000, exclusive of VAT and costs.**
- (ii) The sale's price is to be adjusted by 6% per annum compounded annually on a pro-rata basis commencing from 2015-02-28
- (iii) Should the transaction not be implemented within 18 months from date of valuation (i.e. by 2016-09-01) the property be valued anew.



Jan Roux
Professional Valuer



Garth Johnson
Principal Professional Valuer: Disposals

2015-02-09

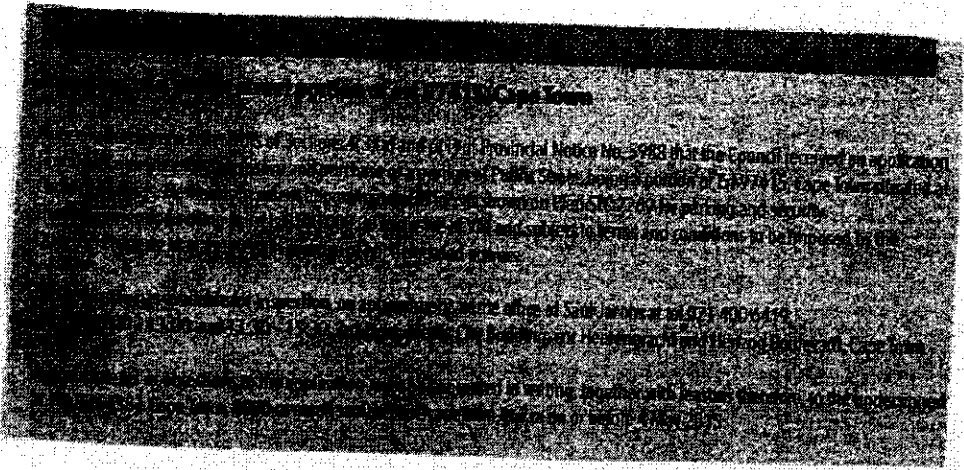
ANNEXURE D

PUBLISHED ON 02 APRIL 2015

Sluiting en vervreemding

Gedeelte van 'n openbare straat, gedeelte van erf 97415 Kaapstad

Koninkgewing gebied hiermee tegevoelge artikel 11(2)(a) van die...
Provisoriale Koninkgewing nommer 5983 dat die Raad in...
van die Knox Trust ontving het vir die sluiting en...
van 'n gedeelte van openbare straat, synde 'n gedeelte...
van erf 97415 Kaapstad geleë in Orkney Heights, Nowetand, wat...
omgegee is tot 'n grootte, soos aangegee op plan K11-2749 van die...
deel van paragraaf 61 van artikel 12 van die Koninkgewing...
van 1995 (G.O. 119) en gegee is om die no. van die bepaling...
van 1995 wat ook die direkteur van die Knox Trust in die...
sluiting van hierdie gebied te bevestig en te bevestig is.



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ANNEXURE E



RdK
28 August 2015

To whom it may concern:

THE KNOX TRUST
Registration no: IT322/89

We are the auditors of the above mentioned trust.

We confirm that the trust income tax reference number is 1689/024/84/0.

We further confirm that the trust has no trading activities therefore no income tax returns has been submitted.

Hope you find this in order

Regards,

N Esterhuysen

PVE (ESTERHUYSEN) INCORPORATED

CHARTERED ACCOUNTANTS (SA)

VAN DER BIJLPARK

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