

SHAUN NAIDOO
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GREYVENSTEINS ATTORNEYS
104 PARK DRIVE
CENTRAL
PORT ELIZABETH
6001

Prepared by me

CONVEYANCER
ROHAN GREYVENSTEIN (90988)

Fee Endorsement		Office Fee
	Amount	
Purchase Price/Value	R. 3 200 000.00	R. 1778.00
Mortgage Capital Amt.	R.	R.
ALL OTHER REGISTRATIONS		R.
Reason For Exemption	Category Exemption.....	Exempt i.t.o Sect/Reg Act/Proc

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT
SHAUN PREGALATHAN NAIDOO
Legal Practice Number 88429

appeared before me, REGISTRAR OF DEEDS at KING WILLIAM'S TOWN, the said
appearer being duly authorised thereto by a Power of Attorney granted to him/her by

1. **MALCOLM GEORGE HENDRY**
Identity Number 511109 5069 08 4
Married out of community of property
2. **MAUREEN JANET HENDRY**
Identity Number 490724 0138 08 3
Married out of community of property

which said Power of Attorney was signed at PORT ELIZABETH on 28 JANUARY 2021

T 10984 | 2021

And the appearer declared that his/her said principal had, on 13 January 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:

GARY RAYMOND DUNSDALE MC BIRNIE
Identity Number 611221 5023 08 3

and

LAUREL BRONWYN MC BIRNIE
Identity Number 680314 0275 08 3

Married in community of property to each other

their Heirs, Executors, Administrators or Assigns, in full and free property

ERF 93 BEACHVIEW, IN THE NELSON MANDELA BAY METROPOLITAN
MUNICIPALITY
DIVISION OF PORT ELIZABETH
PROVINCE OF EASTERN CAPE

IN EXTENT 1461 (ONE THOUSAND FOUR HUNDRED AND SIXTY ONE)
Square metres

FIRST TRANSFERRED by Deed of Transfer Number T4383/1977CTN with
General Plan TP8980 relating thereto and held by Deed of Transfer Number
T47719/2006CTN.

- A. SUBJECT to the conditions referred to in Deed of Transfer Number
T1236/1969CTN, save in so far as these may have since lapsed or been
cancelled.
- B. SUBJECT FURTHER to the special conditions contained in Deed of
Transfer Number T4383/1977CTN, imposed by the Administrator of the
Cape Province in terms of Ordinance Number 33 of 1934, when approving
of the establishment of BEACHVIEW TOWNSHIP, 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 Provincial Notice Number 623 dated 13
August 1970.

2. In the event of a Town Planning Scheme or any portion thereof applying or being made applicable to the erf, any provisions thereof which are more restrictive than any condition of title applicable to this erf shall take precedence. Furthermore, nothing in these conditions shall be construed as overriding the provisions of Section 146 of Ordinance Number 15 of 1952, as amended.
3. No building on this erf shall be used or converted to use for any purpose other than that permitted in terms of these conditions.
4. The owner of this erf shall, without compensation, be obliged to allow electricity cables and/or wires and main and/or other waterpipes and the sewage and drainage, including stormwater of any other erf or even inside or outside this township to be conveyed across this erf, if deemed necessary by the local authority and in such manner and position as may from time to time be reasonably required. This shall include the right of access to the erf at any reasonable time for the purpose of constructing, altering, removing or inspecting any works connected with the above.
5. The owner of this erf shall be obliged, without compensation to receive such material or permit such 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 its 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 or and within a period to be determined by the local authority.
6. (a) This erf shall be used solely for the purpose of erected thereon one dwelling or other buildings for such purposes as the Administrator may, from time to time after reference to the Townships board and the local authority, approve, provided that if the erf is included within the area of a Town Planning Scheme, the local authority may permit such buildings as are permitted by the Scheme, subject to the conditions and restrictions stipulated by the scheme.

- (b) No building or structure or any portion thereof, except boundary walls and fences, shall except with the consent of the Administrator, be erected nearer than 5 metres to the street line which forms a boundary of this erf, nor within 3 metres of the rear or 1,5 metres of the lateral boundary common to any adjoining erf, provided that with the consent of the local authority –
- (i) An outbuilding used solely for the housing of motor vehicles and not exceeding 3 metres in height, measured from the ground floor of the outbuilding to the wall plate thereof, may be erected within such side and rear spaces, and any other outbuilding of the same height may be erected within the rear space and side space for a distance of 12 metres measured from the rear boundary of the erf, provided that in the case of a corner erf the distance of 12 metres shall be measured from the point furthest from the streets abutting the erf;
- (ii) An outbuilding in terms of subparagraph (i) may only be erected nearer to a lateral or rear boundary of a site than the above prescribed spaces, if no windows or doors are inserted in any wall facing such boundary.
- (c) On consolidation of this erf or any portion thereof with any abutting erf which is subject to the same conditions as herein set forth, these conditions shall apply to the consolidated holding as if it were one erf.
- (d) In the event of this erf being subdivided, each subdivided portion, other than any portion deducted for road or similar purposes, shall be subject to the conditions herein set forth as if it were the original erf.

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

1. **MALCOLM GEORGE HENDRY, Married as aforesaid**
2. **MAUREEN JANET HENDRY, Married as aforesaid**

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

GARY RAYMOND DUNSDALE MC BIRNIE and LAUREL BRONWYN MC BIRNIE, Married as aforesaid

their Heirs, Executors, Administrators or Assigns, now are 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 R3 200 000,00 (THREE MILLION TWO 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 KING WILLIAM'S TOWN on **21 JUN 2021**

In my presence

REGISTRAR OF DEEDS