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Cluver Markotter Inc
Cluver Markotter Building
Mill Street
Stellenbosch
7600

Prepared by me


CONVEYANCER
LIZE PECORARO

Deeds Office Registration fees as per Act 47 of 1937		
	Amount	Office Fee
Purchase Price	R. 278,000,000	R. 51,24,00
Reason for exemption	Category Exemption	Exemption i to. Sec/Reg. Act/Proc.

DATA CAPTURE
14-08-2019
NOLUVO INTYATYALTA

T000024050/2019

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

ANTON LUTHER POSTHUMUS

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

DATA CAPTURE
13-08-2019
BEINDA OBUCAI

g / p

SISTEEN MARIÉ GEYSER in my capacity as representative of the Executors, acting herein in terms of General Estate Power of Attorney signed at Stellenbosch on 10 October 2016 by **PETRONELLA HENDRINA VISSER** and signed at Gordon's Bay on 11 October 2016 by **ELRONA GOOSEN**, in their capacities as Executors in the Estate Late **WILLEM JOHANNES VISSER**, acting under Letters of Executorship Number 012709/2016 issued by the Master of the High Court of South Africa Western Cape Division, Cape Town at Cape Town on 6 October 2016

which said Power of Attorney was signed at Stellenbosch on 10 May 2019

And the said appearer declared that:

WHEREAS **WILLEM JOHANNES VISSER** who died testate on the 19 June 2016 is the registered owner of the hereinafter mentioned properties;

AND WHEREAS during his lifetime the late **WILLEM JOHANNES VISSER** was married out of community of property to **PETRONELLA HENDRINA VISSER**;

AND WHEREAS the said **WILLEM JOHANNES VISSER** bequeathed the hereinafter mentioned properties to **BILLY VISSER TRUST** in terms of his Last Will and Testament signed at Stellenbosch on 06 November 2012, together with a Codicil signed at Lynedoch on 25 August 2014 and another Codicil signed at Lynedoch on 31 August 2015;

NOW THEREFORE he/she, the said appearer, in his/her capacity aforesaid, did, by virtue these presents, cede and transfer to and on behalf of:

**The Trustees for the time being of BILLY VISSER TRUST
Registration Number IT5284/1996**

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

1. REMAINDER OF PORTION 27 OF THE FARM WELMOED ESTATE NUMBER 468 IN THE MUNICIPALITY AND DIVISION OF STELLENBOSCH, WESTERN CAPE PROVINCE

IN EXTENT 32,8307 (THIRTY TWO COMMA EIGHT THREE ZERO SEVEN) Hectares

FIRST TRANSFERRED by Deed of Transfer Number T595/1931 with Diagram relating thereto and held by Deed of Transfer T25442/1987

- A. SUBJECT to the conditions as referred to in Deed of Transfer number T15427/1948.
- B. SUBJECT FURTHER and entitled to the benefits of the following special conditions (the property transferred herewith being a portion of the remainder) as referred to in the note dated 5 February 1931 attached to Certificate of Amended Title number 9631/1920 namely:

- (1) That the furrow marked on the diagram of the said Lot 7B shall remain free and undisturbed for the use of the said Lot 7B of the remaining extent of the said Welmoed Estate held by the said RUDOLPH LEVIN KRAMER under the aforesaid Certificate of Amended Title number 9631 and of Lot number 6 of the said Welmoed Estate registered in favour of Johannes Roos Bosman by Deed of Transfer number 5789 dated 10th July 1930 and shall be maintained and kept in order by the owners and their successors in title of the said Lot 7B, the said remaining extent, and the said Lot number 6.
- (2) That the furrow marked on the diagram of the remaining extent of the said Welmoed Estate, held by the said RUDOLPH LEVIN KRAMER under the aforesaid Certificate of Amended Title, shall remain free and undisturbed for the use of the said Lot 7B, of the said remaining extent, and of Lot number 6 of the said Welmoed Estate registered in favour of Johannes Roos Bosman by Deed of Transfer number 5789 dated 10th July 1930, and shall be maintained and kept in order by the respective owners and their successors in title of the said Lot 7B, the said remaining extent and the said Lot number 6.
- (3) That the furrow marked on the diagrams of Lots numbers 6 and 12 of the said Welmoed Estate, registered in favour of JOHANNES ROOS BOSMAN by Deed of Transfer number 5789 dated 10th July 1930, shall remain free and undisturbed for the use of the said Lot 7B, of the remaining extent of the said Welmoed Estate held by the said RUDOLPH LEVIN KRAMER under the aforesaid Certificate of Amended Title number 9631, and of the said Lot number 6, and shall be maintained and kept in order by the respective owners and their successors in title, of the said Lot 7B, the said remaining extent of the said Lot number 6."

C. SUBJECT FURTHER to the servitude, reference to which is contained in the note dated 11 August 1938 annexed on Deed of Transfer number 9028/1933, which note reads as follows:

"By Transfer number 8241 dated 11th August, 1938, a servitude relating to certain conditions regarding roads, fishing, water, furrows, and the use of remainder para. 1 and remainder para. 2 held hereunder, and certain ancillary rights thereto have been entered into by the owners of property thereby conveyed and the remainder held hereunder as will more fully appear on reference to the said Transfer."

D. SUBJECT FURTHER by Notarial Deed of Servitude number K125/1989 dated 23/12/1988 and contained in Deed of Transfer number T25442/1987, to a pipeline servitude, whereby the owners of the dominant tenements shall be entitled to lead water across this property by means of a pipeline situated in a servitude area 1 metre wide, the lines BC and DEF on servitude diagram 416/1985 representing the middle of the 1 metre servitude area and a servitude area of which the line AB represents the western boundary of the servitude area in favour of:

1. Remainder Portion 13 of the Consolidated Farm Welmoed Estate number 468, Division of Stellenbosch
Held by T58960/1983
2. Remainder Portion 22 of the Consolidated Farm Welmoed Estate number 468, Division of Stellenbosch, measuring 75,1741 ha, held by T58959/1983, together with ancillary rights.

As will more fully appear from the said Notarial Deed.

E. SUBJECT FURTHER by Notarial Deed of Servitude number K365/2000S, dated 19/10/1999 and contained in Deed of Transfer number T25442/1987, to a servitude for a water pipeline in favour of the Cape Metropolitan Council as shown on Diagram number 7305/1979, namely:

- The broken line AB represents a line 4,00 metres south west of the north eastern boundary of a servitude pipeline 12,00 metres wide, as indicated, and
- The figure CDe middle of the Eerste River fGH represents a servitude pipeline area over the abovementioned property.

As will more fully appear from the said Notarial Deed.

- F. SUBJECT FURTHER to an expropriation endorsement filed as EX31/2007, where in terms of approximately 0,0772 hectares of Remainder of Portion 27 of the Farm Welmoed Estate Number 468 is expropriated for road purposes in terms of Section 27 of the Road Ordinance 19 of 1976.
- G. SUBJECT FURTHER to an expropriation endorsement filed as EX32/2007, where in terms of approximately 0,0355 hectares of Remainder of Portion 27 of the Farm Welmoed Estate Number 468 is expropriated for road purposes in terms of Section 27 of the Road Ordinance 19 of 1976.
- H. SUBJECT FURTHER to an expropriation endorsement filed as EX33/2007, where in terms of approximately 0,0685 hectares of Remainder of Portion 27 of the Farm Welmoed Estate Number 468 is expropriated for road purposes in terms of Section 27 of the Road Ordinance 19 of 1976.
- I. SUBJECT FURTHER to an expropriation endorsement filed as EX83/2013, where in terms of approximately 1,7153 hectares of Remainder of Portion 27 of the Farm Welmoed Estate Number 468 is expropriated for road purposes in terms of Section 27 of the Road Ordinance 19 of 1976.
- J. SUBJECT FURTHER to an expropriation endorsement filed as EX123/2016, where in terms of approximately 0,9196 hectares of Remainder of Portion 27 of the Farm Welmoed Estate Number 468 is expropriated for road purposes in terms of Section 27 of the Road Ordinance 19 of 1976.
- K. SUBJECT FURTHER to the following condition contained in the Last Will and Testament of the said WILLEM JOHANNES VISSER dated 06 November 2012
"9. Ek bepaal dat alle bemakings en erfenisse uitgesluit sal wees van alle gemeenskaplike boedels en aanwasbedelings kragtens huwelike alreeds aangegaan tydens my afsterwe en alle huwelike wat ons bevoorreedes daarna op enige stadium van hul leeftyd as sodanig mag aangaan. Alie bemakings en erfenisse sal onder alle omstandighede beskerm wees teen die skuldeisers van alle gades, hetsy binne of buite gemeenskap van goedere getroud."

2. REMAINDER OF PORTION 28 OF THE FARM WELMOED ESTATE NUMBER 468 IN THE MUNICIPALITY AND DIVISION OF STELLENBOSCH, WESTERN CAPE PROVINCE

IN EXTENT 45,5075 (FORTY FIVE COMMA FIVE ZERO SEVEN FIVE) Hectares

FIRST TRANSFERRED by Deed of Transfer Number T595/1931 with Diagram relating thereto and held by Deed of Transfer Number T25442/1987

- A. SUBJECT to the conditions as referred to in Deed of Transfer number T595/1931.
- B. SUBJECT FURTHER to the servitude, reference to which is contained in the note dated 11 August 1938 annexed on Deed of Transfer number 9028/1933, which note reads as more fully set out in paragraph 1C above.
- C. SUBJECT FURTHER by Notarial Deed of Servitude number K123/1989 dated 23/12/1988 and contained in Deed of Transfer number T25442/1987, to a pipeline servitude, whereby the owners of the dominant tenements shall be entitled to lead water across this property by means of a pipeline, situated in a servitude area 3 metres wide the eastern boundary of which is represented by figure AB on servitude diagram 417/1985 in favour of

- 1. Remainder Portion 13 of the Consolidated Farm Welmoed Estate number 468, Division of Stellenbosch
Held by T58960/1983
- 2. Remainder Portion 22 of the Consolidated Farm Welmoed Estate number 468, Division of Stellenbosch, measuring 75,1741 ha, held by T58959/1983

As will more fully appear from the said Notarial Deed.

- D. SUBJECT FURTHER by Notarial Deed of Servitude number K366/2000S dated 19/10/1999 and contained in Deed of Transfer number T25442/1987, to a servitude for a water pipeline in favour of the Cape Metropolitan Council as shown on Diagram number 7303/1979, namely:

The full line ABC represents the north eastern boundary of a servitude pipeline 12,00 metres wide.

As will more fully appear from the said Notarial Deed.

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- E. SUBJECT FURTHER by virtue of Notarial Deed dated 28 February 2018, number K165/2019 and contained in Deed of Transfer number T25442/1987, to a pipeline servitude as depicted on Diagram SG 1714/2014, in favour of the remainder of Portion 13 of the Farm Welmoed Estate number 468, measuring 1,3835 hectares, held by Deed of Transfer number T75469/1997, as depicted by line AB.

As will more fully appear from the said Notarial Deed.

- F. SUBJECT to an expropriation endorsement, filed as number EX82/2013 and contained in Deed of Transfer number T25442/1987, in terms of which of a portion of the property, measuring approximately 0,1765 hectares has been expropriated by the Provincial Government of the Western Cape.

- G. SUBJECT FURTHER to the following condition contained in the Last Will and Testament of the said WILLEM JOHANNES VISSER dated 06 November 2012

"9. Ek bepaal dat alle bemakings en erfenisse uitgesluit sal wees van alle gemeenskaplike boedels en aanwasbedelings kragtens huwelike alreeds aangegaan tydens my afsterwe en alle huwelike wat ons bevoorreedes daarna op enige stadium van hul leeftyd as sodanig mag aangaan. Alie bemakings en erfenisse sal onder alle omstandighede beskerm wees teen die skuldeisers van alle gades, hetsy binne of buite gemeenskap van goedere getroud."

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

Estate Late WILLEM JOHANNES VISSER

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

**The Trustees for the time being of BILLY VISSER TRUST
Registration Number IT5284/1996**

its Successors in Office or assigns, now is and henceforth shall be entitled thereto, conformably to local custom, the State, however reserving its rights, and finally acknowledging the value of the property to be R27 500 000,00 (TWENTY SEVEN MILLION FIVE 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 2019-06-13

Handwritten signature of the Registrar of Deeds, with the initials "q.q." written below it.

In my presence

REGISTRAR OF DEEDS

Large handwritten signature or scribble, possibly representing the presence of a witness or the Registrar.

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