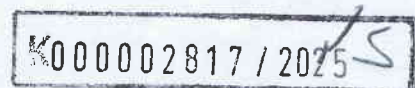


184 HEUNIS LAW



Protocol No 1130

NOTARIAL DEED OF SERVITUDE

BE IT HEREBY MADE KNOWN:

That on 5 May 2025 before me

ALOÏS CILLIERS (82247)



Notary Public by lawful authority duly sworn and admitted, practicing in Somerset West in the Province of the Western Cape, Republic of South Africa, and in the presence of the subscribing witnesses, personally come and appeared CASPER JACOBUS HEUNIS



Handwritten signatures and initials: "alo" (top), "m" (middle), and "AS" (bottom).

he being duly authorised thereto by Special Power of Attorney signed at Windhoek on 23 April 2025 , which Special Power of Attorney was exhibited to me and remains in my protocol, by

PHILIPPUS VILJOEN ELLIS

duly authorised thereto by a resolution of the Trustees for the time being of

THE JOHN AND KINNA ELLIS TRUST

Master's reference number IT 536/1993

(hereinafter called "the Cedent")

the trustees being authorised by Letters of Authority issued by the Master of the High Court at Cape Town on 22 April 2025

AND the said CASPER JACOBUS HEUNIS also appeared before me being duly authorised thereto by a Special power of Attorney signed at Windhoek on 23 April 2025, which Special Power of Attorney was exhibited to me and now remains in my protocol, by

PHILIPPUS VILJOEN ELLIS

duly authorised thereto by a resolution of the members of

ELLIS FARMING ENTERPRISES CC

Registration Number 1998/033137/23

(hereinafter called "the Cessionary")

AND THE APPEARER, qq, DECLARED THAT:

WHEREAS the Cedent is the registered owner of the following PROPERTY:

PORTION 132 (A PORTION OF PORTION 25) OF THE FARM MELKHOUTE FONTEIN NO 480

In the Hessequa Municipality

Division Riversdal

Province of the Western Cape

IN EXTENT: 4, 0001 (FOUR COMMA NOUGHT NOUGHT NOUGHT ONE) hectares

HELD BY Deed of Transfer No T 82516/1995

(hereinafter called "the Servient Property")

AND WHEREAS the Cessionary is the registered owner of the following PROPERTY:

PORTION 257 OF THE FARM MELKHOUTE FONTEIN NO 480

In the Hessequa Municipality

Division Riversdal

Province of the Western Cape

IN EXTENT: 50,1544 (FIFTY COMMA ONE FIVE FOUR FOUR) hectares

HELD BY Certificate of Consolidated Title No T 36479/2021

(hereinafter called "the Dominant Property")

AND WHEREAS the Cedent has granted to the Cessionary a servitude right of way over the Servient Property in favour of the Dominant Property; and the Cessionary has accepted the rights to the servitude;

NOW THEREFORE THE APPEARER DECLARED:

The Cedent hereby grants to the Cessionary a servitude right of way 4 (FOUR) metres wide, the center line of which servitude is indicated by the bent line A-B and the line B-C-D-E-F on Diagram SG No 2099/2024, over the Servient Property in favour of the Dominant Property;

AND THE APPEARER FURTHER DECLARED that the abovementioned rights are granted subject to the following terms and conditions:

1. The Cessionary, in exercising its rights under this Notarial Deed of Servitude, shall construct and at all times maintain the said right of way in good order and condition.
2. The Cessionary shall be allowed to enter and be upon the Servient Property with the consent of the Cedent, which consent will not be unreasonably withheld, at any time in order to maintain and repair the servitude right of way.

ab
9 14
15

Q

3. The conditions created by this agreement are enforceable against the owner of the Servient Property and its successors in title.
4. The Cessionary shall be liable for all costs in respect of the drafting, execution and registration of this Notarial Deed of Servitude
5. No consideration shall be payable in respect of the granting of the said servitude, the value of which servitude is agreed to be R1000,00.
6. No addition to, variation or consensual cancellation of this agreement or any part thereof will be of any force or effect unless in writing and contained in a notarial agreement.

THUS DONE AND EXECUTED at Somerset West aforesaid the day, month and year Aforewritten before me the Notary Public, in the presence of the subscribing witnesses.

AS WITNESSES:

1. Makhele

2. ~~Mathe~~

[Signature]

abellens

NOTARY PUBLIC



15 OCT 2024

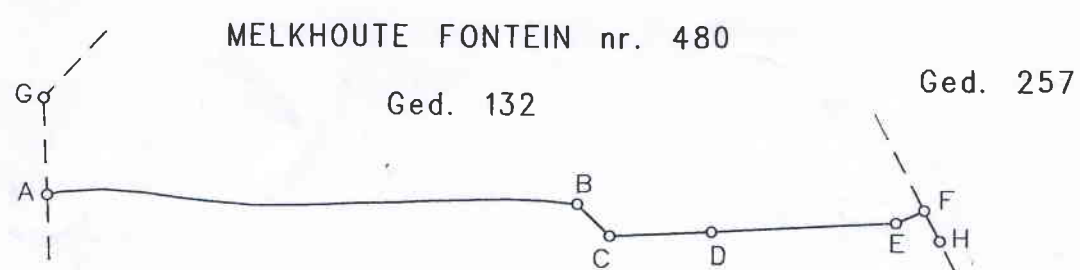
DATE:

EXEMPT FROM THE
PROVISIONS OF
ACT 70 OF 1970

SECTION 6A 1(a).....

Exempt i.to. Section 24 (1)(f)(iv)
of Municipal Land Use
Planning Bylaw
Ref: 15/4/8/2

Date: 30 August 2024.....

184 HEUNISREGSGROEP TEL 841-1555		RICHTINGS- HOEKE		KOÖRDINATE Y Stelsel WG 21° X		L.G. Nr. 2099/2024 Goedgekeur <i>[Signature]</i> ms. Landmeter-generaal 14-10-2024	
		Konstantes		+0,00	+3700000,00		
AB	175,23	270 38 40	A	-30 235,05	+97 792,11		
BC	15,08	314 32 20	B	-30 410,27	+97 794,08		
CD	33,91	267 19 00	C	-30 421,01	+97 804,65		
DE	61,25	266 49 40	D	-30 454,89	+97 803,06		
EF	10,21	245 29 40	E	-30 516,04	+97 799,67		
			F	-30 525,34	+97 795,44		
KONNEKSIEDATA							
GA	32,22	358 18 10	G	-30 234,09	+97 759,90		
HF	11,40	153 07 00	H	-30 530,49	+97 805,60		
	Riv 40	Δ114		-31 710,69	+96 320,93		
	Riv 79	Δ148		-31 137,34	+95 747,90		
BAKENBESKRYWING							
G, H				20mm Ysterpen			
Alle ander				16mm Ysterpen			
 Ged. 257							
							
Skaal 1 : 2500							
1) Die kromlyn A-B en							
2) Die lyn B-C-D-E-F stel voor							
die Middellyn van 'n Serwituut Reg-van-Weg 4,00m wyd							
oor GEDEELTE 132 ('n gedeelte van Gedeelte 25)							
van die plaas MELKHOUTE FONTEIN nr. 480							
geleë in die Hessequa Munisipaliteit							
Administratiewe Distrik Riversdal							
Provinsie Wes-Kaap							
Opgemeet deur ons							
in Augustus en September 2024							
B. van der Walt				<i>[Signature]</i>			
PLS-0640-D Pr. Landmeter				F.J. van der Walt			
				PLS-0641-D Pr. Landmeter			
Hierdie kaart is geheg aan		Die oorspronklike kaart is		Lêer Nr.		RSDLE 480 v.5	
Nr. K		Nr. 3516/1992		Ms. Nr.		1246/2024	
Datum		Transport		Komp.		AK-3BA (6163)	
t.g.v.		Nr. 1995 - -82516					
Registrateur van Aktes				LPI C0640000			



11

STBB SMITH TABATA BUCHANAN BOYES
8th & 9th Floor
5 St Georges Mall
Cape Town
8001
Docex 45

184
HEUNIS REGSGROEP
TEL: 851 - 1555



Prepared by me,

CONVEYANCER
CHARNE SYMINGTON

94998

T

000036479 / 2021

CERTIFICATE OF CONSOLIDATED TITLE

[Issued under the provisions of section 40 of the
Deeds Registries Act, 1937 (No. 47 of 1937)]

WHEREAS

ELLIS FARMING ENTERPRISES CC
Registration Number 1998/033137/23

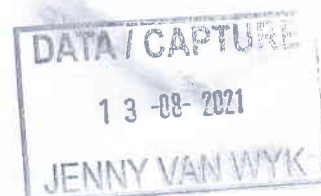
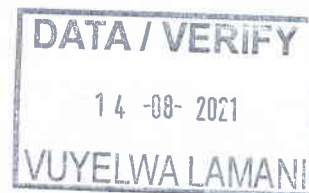
has applied for the issue to it of a Certificate of Consolidated Title under the provisions of
Section 40 of the Deeds Registries Act, 1937.

AND WHEREAS

ELLIS FARMING ENTERPRISES CC
Registration Number 1998/033137/23

is the registered owners of :

for further end
see pg 5



1. PORTION 256 (A PORTION OF PORTION 24) OF THE FARM
MELKHOUTE FONTEIN NUMBER 480
IN THE MUNICIPALITY OF HESSEQUA
DIVISION RIVERSDALE
PROVINCE OF THE WESTERN CAPE

IN EXTENT 2,0298 (TWO COMMA ZERO TWO NINE EIGHT)
HECTARE

HELD BY DEED OF TRANSFER NUMBER _____

②

AND

2. REMAINDER PORTION 25 OF THE FARM MELKHOUTE FONTEIN
NUMBER 480
IN THE MUNICIPALITY OF THE HESSEQUA
DIVISION RIVERSDAL
PROVINCE OF THE WESTERN CAPE

IN EXTENT 46, 2998 (FOUR SIX COMMA TWO NINE NINE EIGHT) HECTARES

HELD BY DEED OF TRANSFER NUMBER T98086/1998

which have been consolidated into the land hereinafter described

NOW THEREFORE in pursuance of the provisions of the said Act, I, the Registrar of Deeds at Cape Town, do hereby certify that the said

ELLIS FARMING ENTERPRISES CC
Registration Number 1998/033137/23

its heirs, executors, adminisators or assigns, are the registered owners of:

PORTION 257 OF THE FARM MELKHOUTE FONTEIN NUMBER 480
IN THE MUNICIPALITY OF THE HESSEQUA
DIVISION RIVERSDAL
PROVINCE OF THE WESTERN CAPE

IN EXTENT 50, 1544 (FIVE ZERO COMMA ONE FIVE FOUR FOUR)
HECTARES

As will appear from diagram S.G. Number 505/2017

AS REGARDS the figure A B H J K a left river bank of the Goukou River m middle of stream n P on Diagram S.G Number 505/2017:

①

2

- A. **SUBJECT** to the conditions referred to in Deeds of Transfer Number 1413 and 1414 dated 19th March 1896.
- B. **SUBJECT FURTHER** and **ENTITLED** to the benefit of the Servitude referred to in the endorsement dated 9th June 1921 on Deeds of Transfer Number T1413/1896 and T1414/1896, which endorsement reads as follows:

REGISTRATION OF SERVITUDE

By Notarial Deed dated 15th March and 16th April 1921 annexed to Transfer 4917 dd 26th May 1921 and agreement was entered into by the owners hereof and of the property thereby conveyed relative to the use of the water flowing down the kloof which forms boundary of the properties, as will more fully appear on reference to the copy annexed to the said transfer.

AS REGARDS the figure C D E f left river bank of the Goukou River g H on Diagram S.G Number 505/2017:

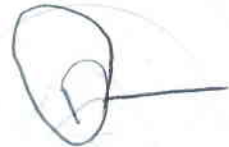
- A. **SUBJECT** to the conditions referred to in the following Deeds of Transfer Numbers: T28702/1979, T1954/1960, T1953/1960, T2965/1907, T2973/1907, T100/1972, T11298/1956, T4518/1917 and T6739/1936



AND that by virtue of these presents **ELLIS FARMING ENTERPRISES CC**, its administrators or assigns now is and henceforth shall be entitled thereto conformably to local custom, the State, however, reserving its rights.

IN WITNESS WHEREOF I, the said Registrar, 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 Register of Deeds at Cape Town on this the 10 day of August 2021



Registrar of Deeds

184
HEUNIS REGSGROEP
TEL: 851 - 1555

Endorsement

By virtue of Notarial Deed of Servitude
dated 5 May 2025,

T 36479/2021

No K
000002817 / 2025 S,

The property contained herein is ENTITLED to a servitude right of way 4 (FOUR) metres wide,
the center line of which servitude is indicated by the bent line A-B and the line B-C-D-E-F on
Diagram SG No 2099/2024

over

PORTION 132 (A PORTION OF PORTION 25) OF THE FARM MELKHOUTE FONTEIN NO
480

In the Hessequa Municipality

Division Riversdal

Province of the Western Cape

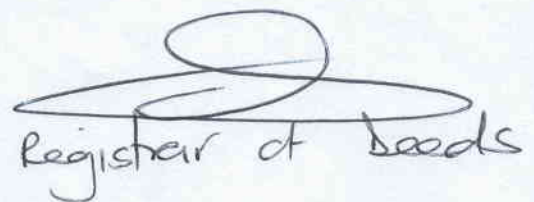
IN EXTENT: 4, 0001 (FOUR COMMA NOUGHT NOUGHT NOUGHT ONE) hectares

HELD BY Deed of Transfer No T 82516/1995 , subject to ancillary
rights .

As will more fully appear from said
Notarial Deed

Deeds Registry
Western Cape

2025-05-28


Registrar of Deeds

80

184
HEUNIS REGSGROEP
TEL: 351 - 1555

Prepared by me

Sharon

CONVEYANCER
BADENHORST J

SEELREG DUTY	R.....
FOOI FEE	R. <u>75.00</u>

DEED OF TRANSFER	DATE	15/11/95
REGISTERED BY	SIGNATURE	<i>[Signature]</i>
GESTAFTEWILL		

DEED OF TRANSFER

BE IT HEREBY MAKE KNOWN THAT:

T 82516.95

~~JEAN BADENHORST~~

SHARON MARY McCALLUM

appeared before me, Registrar of Deeds at **Cape Town**, she the said
Appearer, being duly authorised thereto by a Power of Attorney signed
at RIVERSDAL on 12 APRIL 1995, granted to her by

JAN ERNST KLEINHANS

Identity Number 411119 5004 00 8

and

LOUISA HERMINA KLEINHANS

Identity Number 400116 0051 00 3

Married in community of property to each other

for further encl
see pg 4

AND the said Appearer declared that his principal/s had, on 21 May 1993, truly and legally sold, and that she, the said Appearer, in her capacity aforesaid, did, by these presents, cede and transfer in full and free property to and on behalf of:

THE JOHN AND KINNA ELLIS TRUST
TRUST NO. T.536/93

his/her/their Heirs, Executors, Administrators or Assigns, the following property namely:

PORTION 132 (A Portion of Portion 25) of the Farm MELKHOUTE FONTEIN NO. 480) Division Riversdal, Western Cape Province;

MEASURING 4,0001 (Four Comma Nought Nought Nought One) Hectares

AS WILL more fully appear from Diagram No. 3516/92 annexed hereto.

HELD BY Deed of Transfer No. T.7887/86.

- A. SUBJECT to the conditions contained in Deeds of Transfer Nos. 1413 and 1414 dated 19 March 1896.
- B. SUBJECT FURTHER and ENTITLED to the condition of the Servitude which is referred to in the endorsement dated 9 June 1921, in the said Deeds of Transfer Nos. 1413/1896 and 1414/1896, which endorsement reads as follows :

"REGISTRATION OF SERVITUDE

By Notarial Deed dated 15th March and 16th April 1921 annexed to transfer 4917 dd. 26th May 1921 an agreement was entered into by the owners herreof and of the property thereby conveyed relative to the use of the water flowing down the kloof which forms the boundary of the properties, as will more fully appear on reference to the copy annexed to the said transfer."

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

TRANSFEROR

heretofore had to the premises, did in consequence also acknowledge TRANSFEROR to be entirely dispossessed of, and disentitled to the same, and that by virtue of these presents, the said TRANSFEREE TRUST his/her/their heirs Executors, Administrators or Assigns now and henceforth shall be entitled thereto, conformably to local custom, the State, however reserving its rights, and finally acknowledging that the property was sold on the 21 May 1993 for the sum of R90 000,00 (NINETY 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 6 November 1995

Sim Green .

q.q.

In my presence

Mustard

REGISTRAR OF DEEDS

Endorsement

T 82516/1995

R By virtue of Notarial Deed of servitude No K
dated 5 May 2025,

000002817 / 2025 S,

The property contained herein is SUBJECT to a servitude right of way 4 (FOUR) metres wide,
the center line of which servitude is indicated by the bent line A-B and the line B-C-D-E-F on
Diagram SG No 2099/2024

in favour of

PORTION 257 OF THE FARM MELKHOUTE FONTEIN NO 480

In the Hessequa Municipality

Division Riversdal

Province of the Western Cape


IN EXTENT: 50,1544 (FIFTY COMMA ONE FIVE FOUR FOUR) hectares

HELD BY Certificate of Consolidated Title No T 36479/2021, subject to
ancillary rights.

As will more fully appear from said
Notarial Deed.

2025-05-28

Deeds Registry
Western Cape


Registrar of Deeds