



agriculture, forestry & fisheries

Department:
Agriculture, Forestry and Fisheries
REPUBLIC OF SOUTH AFRICA

)

Directorate: Land Use and Soil Management

Private Bag X2, Sanlamhof, 7532,
17 Strand Street, Bellville, 7530

Tel: 021 944 1413 • Fax: 021 944 1427 • e-mail: LutendoN@daff.gov.za

Enquiries: Netshilema Lutendo • Ref 19/7/16.4/H239 ID 2519 Date: 04/11/2019

DIRECTIVE

ISSUED IN TERMS OF SECTION 7 OF THE CONSERVATION OF AGRICULTURAL RESOURCES ACT, 1983 (ACT NO. 43 OF 1983)

[Unless stated otherwise a reference to –

“the Act” is a reference to the Conservation of Agricultural Resources Act, 1983 (Act No. 43 of 1983);

“the Regulations” is a reference to the Regulations under the Act published by Government Notice No. R. 1048 of 25 May 1984, as amended; and

a reference to a section is a reference to a section of the Act.]

FULL NAMES OF LAND USER

A.F van Niekerk

POSTAL ADDRESS OF LAND USER: P O Box 1258

George

6534

DEEDS OFFICE REGISTRATION DETAILS OF PROPERTY:

Farm / Erf name and number:

Portion 112 Farm Hans Moes Kraal

District:

Eden District, George

(Hereafter referred to as “the Property”).

PHYSICAL ADDRESS OF THE PROPERTY: AS INDICATED ON MAP

In accordance with **section 7** of the Conservation of Agricultural Resources Act, 1983 (Act No. 43 of 1983) (“the Act”) and the powers delegated to me in terms of **section 4 (3) (a)** of the Act, you are hereby directed to:

1.1 In accordance with sections 5 and 6 of the Act, read with Regulations 15 to 16 and Table 3 of the Regulations, all reasonable steps must be taken to **curtail the spreading or propagating material of *Pinus Spp* (Pine Trees) outside** the demarcated area.

2. Failure to comply with a directive is an offence in terms of section 7(6) (b) of the Act and criminal proceedings may be instituted against you.

In terms of section 4(3) (b) of the Act, the Executive Officer may withdraw or alter a directive. If you have any objections to this directive, a written submission may be made within 30 days of receipt of this directive to the following address:

The Director, Directorate: Land Use and Soil Management, Private Bag X120, PRETORIA, 0001

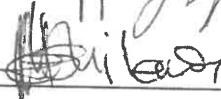
You are also referred to section 7(4) (a) of the Act which provides that a directive issued in accordance with section 7(3) is --

"..... binding on the land user mentioned in the directive as well as the successor in title with regard to the property mentioned in the directive as well as any amalgamation or subdivision of this property."

Signed: Land user



Signed: Official



**On behalf of: EXECUTIVE OFFICER: ACT NO. 43 of 1983
DIRECTORATE: LAND USE AND SOIL MANAGEMENT**



agriculture, forestry & fisheries

Department:
Agriculture, Forestry and Fisheries
REPUBLIC OF SOUTH AFRICA

Directorate Land Use & Soil Management, Private Bag X2 Sanlamhof, 7532

17 Strand Street, Parc du Bell Building, Bellville 7530 Tel: (021) 944 1424 / 22 • Fax: (021) 944 1427

CONSERVATION OF AGRICULTURAL RESOURCES ACT, 1983 (ACT 43 OF 1983) CARA

DEMARICATION APPLICATION

Demarcation of Category 2 Species in terms of Regulation 15B (2)
(Regulation 15)

IMPORTANT

Complete in full where after the application must be submitted to the Extension Office for the area in which the farm unit is situated or Land Use and Soil Management Office

Land user of the farm unit (initials and surname): A. F van Niekerk (land owner); L Williams (lessee)

Capacity (e.g. owner, lessee) A. F van Niekerk (land owner); L Williams (lessee)

Postal address	<u>P.O. Box 1258 George</u>	Postal code	<u>6534</u>
Farm unit	<u>Portion 112 Farm Hans Moes Kraal 202</u>	District	<u>Eden District</u>
GPS	<u>34° 2'36.63"S</u>		<u>22°27'6.83"E</u>
Co-ordinates: S	<u>34° 2'38.61"S</u>	E	<u>22°27'7.46"E</u>
Tel /Cell no:	<u>0834414705</u>	Email:	<u>vntransport@aim.com/ vn.andres58@gmail.com</u>

Description of location of area for Demarcation: (attach a sketch or map of location indicating the planned demarcation area on a farm unit):

Demarcation of a patch of existing pine trees are proposed on Portion 112 of Farm Hans Moes Kraal 202. The property and surrounded contains pine trees. Please refer to locality map attached as Appendix A and site photos attached as Appendix B. The property has low-density Pine Trees on site and canopy density can be attributed to approximately 50 – 75%. These trees aid as a windbreak on the property and contribute to privacy.

Species and extent of area:

Species Name	<i>Pinus Spp. (Pine trees)</i>	
	Existing Plants	Proposed Plants
Density	Canopy density \pm 50-75%	N/A no new trees proposed
Total extent of the area (ha)	\pm 0.35ha	N/A no new trees proposed

Purpose for planting category 2 plants: mark with an x (e.g. ☒ windbreak ☐ woodlot ☐ animal fodder ☐ replacement

No new trees to be planted only existing trees to be demarcated and managed to prevent the spreading of plants from the proposed demarcated area.

Commercial use: ☐ Other: ☐

What steps will be taken to prevent the spread of plants from the demarcated area:

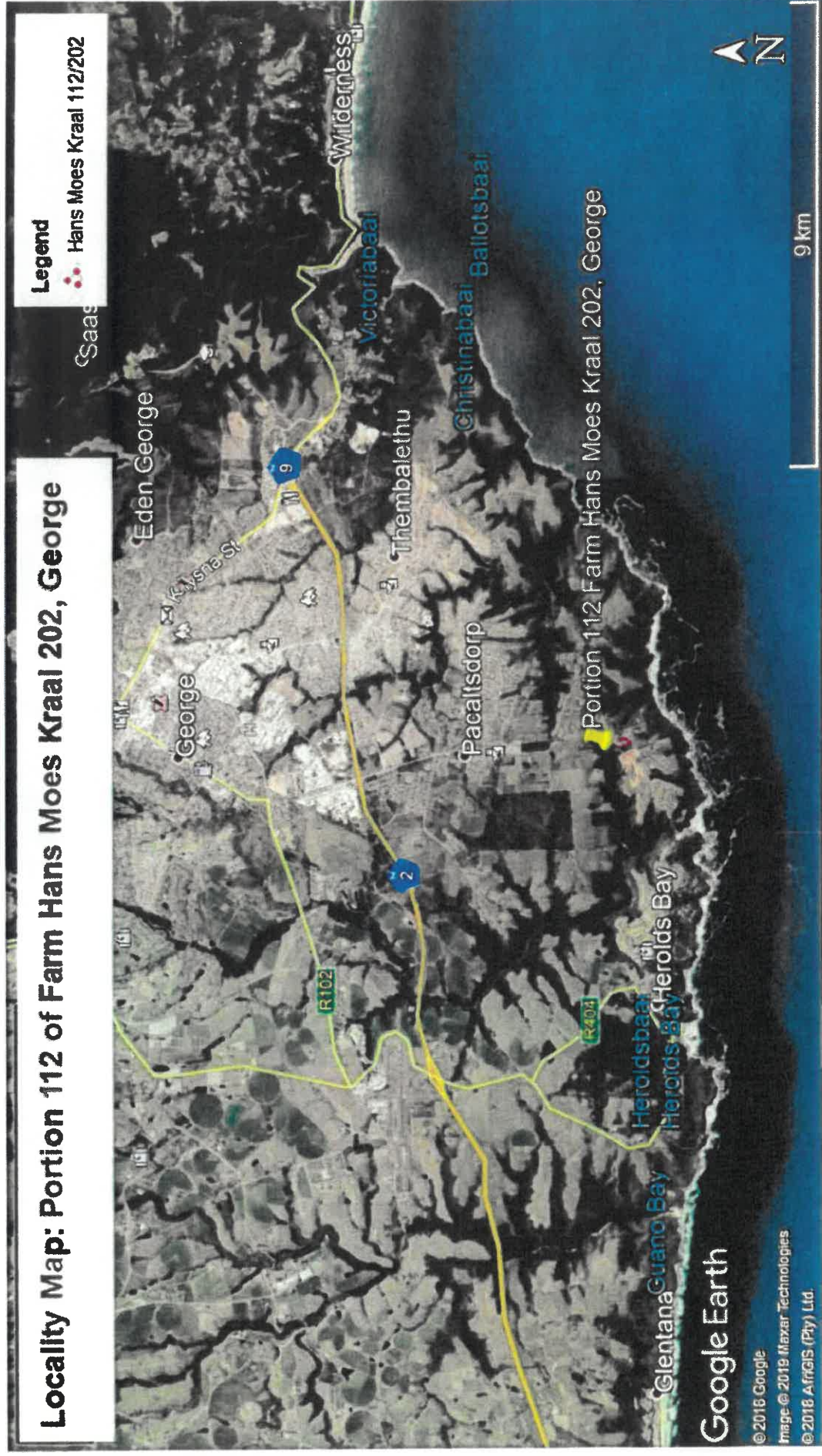
The concerned property, Portion 112 of Farm Hans Moes Kraal 202, and its surrounds contains pine trees. The spreading of any alien plants from the proposed demarcated areas (as indicated in Appendix A) on the concerned property must be prevented. Young seedlings/saplings must be removed from the soil using manual labour (i.e. hands) and can be left in-situ to decompose. The site must be inspected by the land user/land owner every three months to ensure no new seedlings/saplings have sprouted. New seedlings/saplings to be removed manually immediately. Fallen pinecones to be collected and stored in bags to prevent seeds from spreading. Pinecones can be sold/used for firewood or burned on site (to prevent seeds from spreading). Pinecones to be burned in a designated area, in controlled and safe manner not to cause a fire hazard. Consultation with the municipality with regards to burning season is required. A fire permit to be obtained if necessary. No herbicides to be used/ sprayed on site.

* B. J. O'Leary
Signature Land user
[Signature]
Signature Owner

11/9/2019
Date
16/10/2019
Date

Appendix A: Locality Map

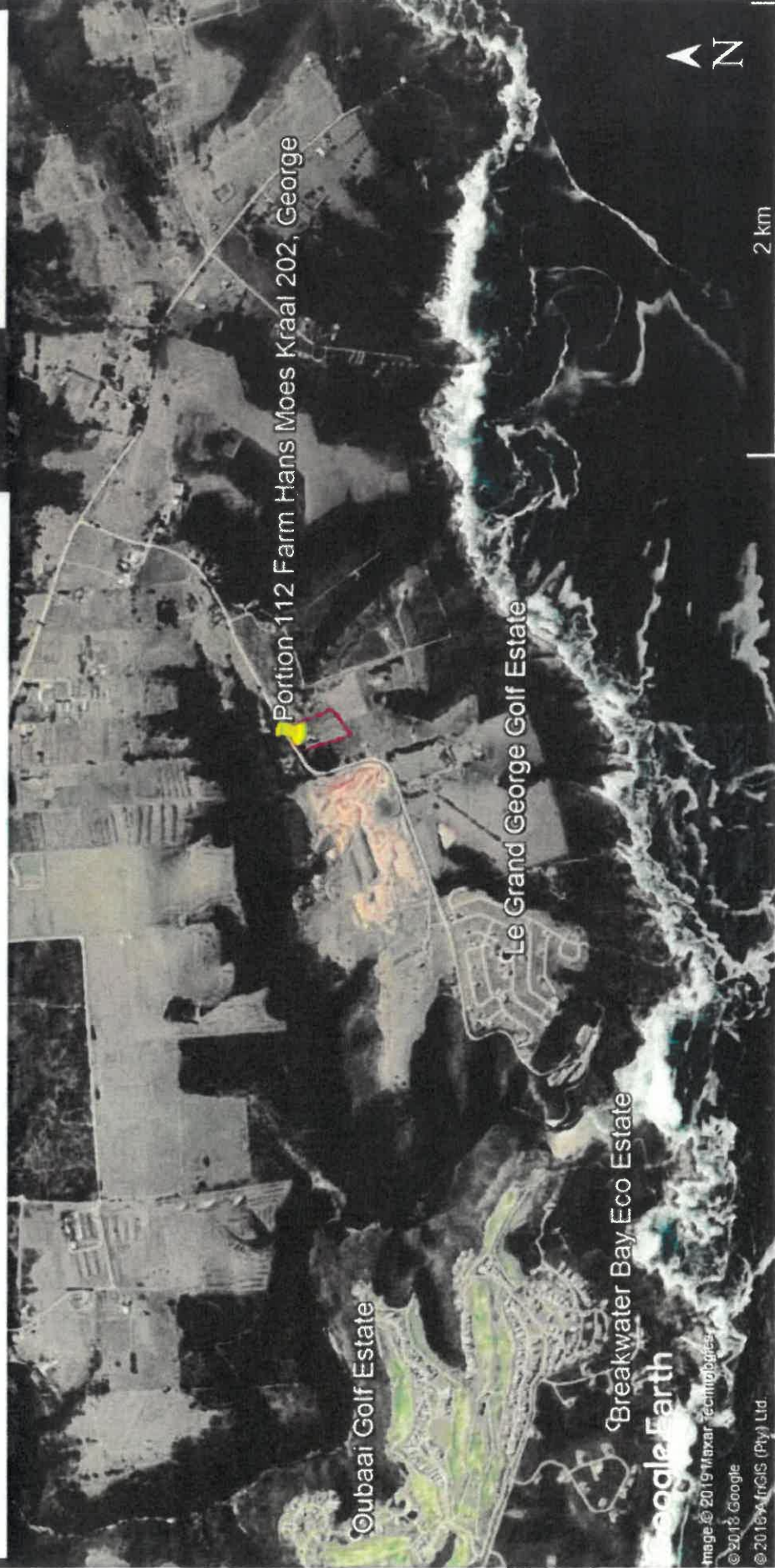
Appendix A: Locality Map



Locality Map: Portion 112 of Farm Hans Moes Kraal 202, George

Legend

 Hans Moes Kraal 112/202



Locality Map: Portion 112 of Farm Hans Moes Kraal 202, George

Legend

•• Hans Moes Kraal 112/202



Locality Map: Portion 112 of Farm Hans Moes Kraal 202, George

Legend

- Hans Moes Kraal 112/202
- Proposed Demarcation




Appendix B: Site Photos

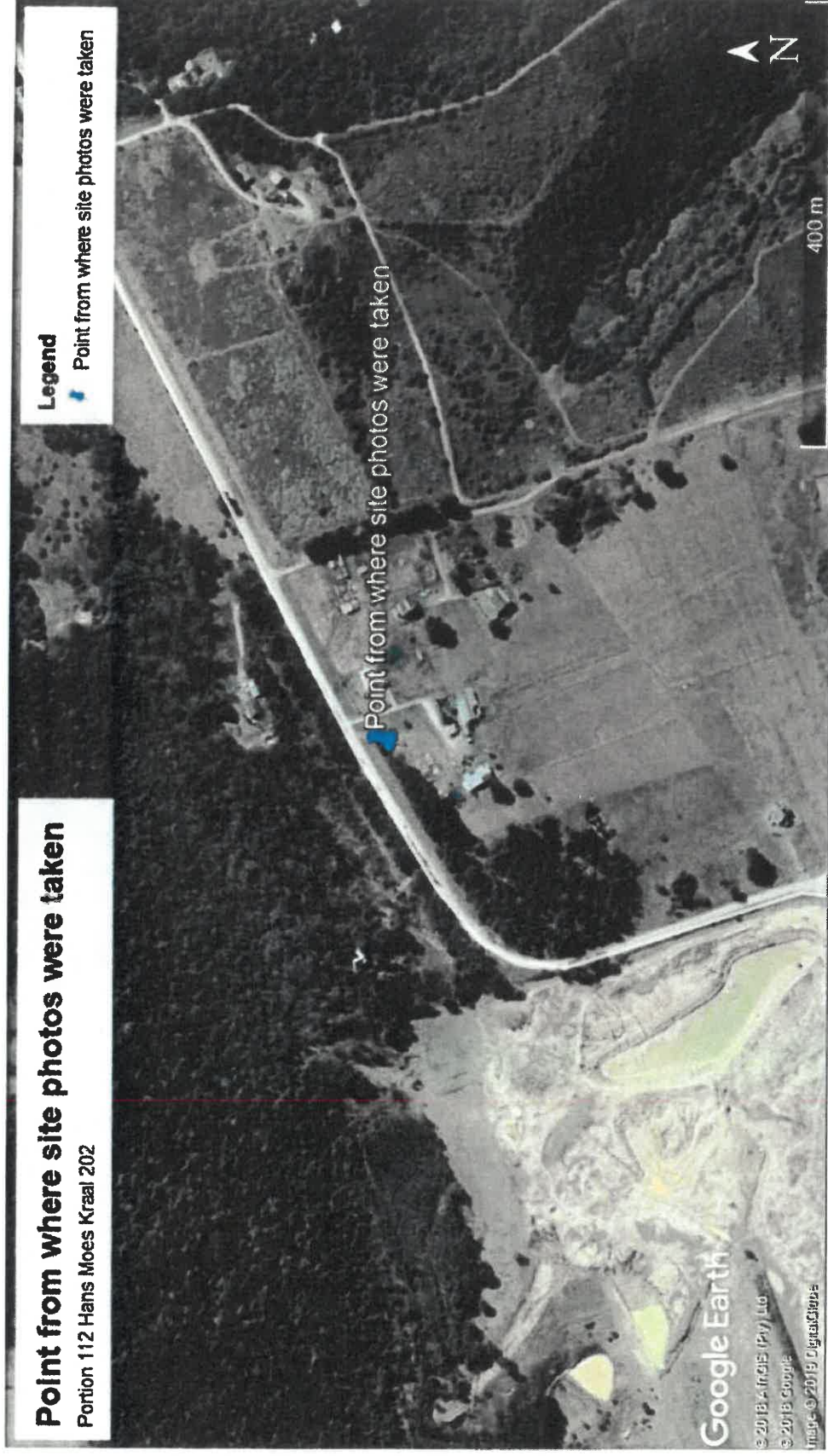
Site Photos_Hans Moes Kraal

Point from where site photos were taken

Portion 112 Hans Moes Kraal 202

Legend

 Point from where site photos were taken



Site Photos_Hans Moes Kraal



Figure 1: Photo standing on the site facing South



Figure 2: Photo taken on site facing South-West



Figure 3: Photo taken on site facing West



Figure 4: Photo taken on site facing North-West

Site Photos_ Hans Moes Kraal



Figure 5: Photo taken on site facing North



Figure 6: Photo taken on site facing North-East



Figure 7: Photo taken on site facing East

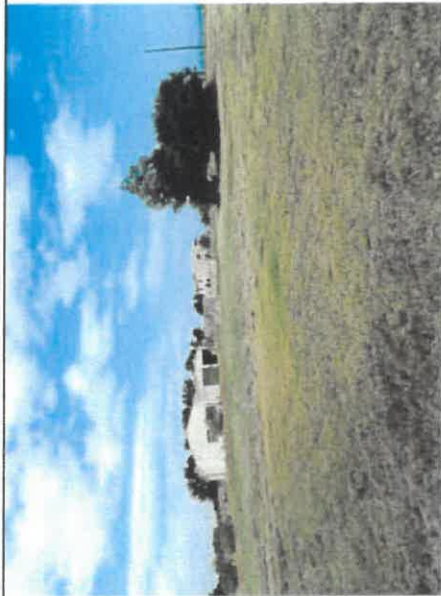


Figure 8: Photo taken on site facing South-East

Appendix C: Title deed

WinDeed Property Report

windeed
A LexisNexis® ProductName **HANS MOES KRAAL**, Number **202** Volume **113**

REGISTERED PROPERTY DETAILS

Property Type	FARM	Diagram Deed	T494/2018
Farm Number	202	Registered Size	3.1406H
Portion Number	113	Municipality	OUTENIQUA DC
Farm Name	HANS MOES KRAAL	Province	WESTERN CAPE
Registration Division	GEORGE RD	Coordinates (Lat/Long)	-34.043573 / 22.454081
Deeds Office	CAPE TOWN		

Owner 1 of 1

Person Type	PRIVATE PERSON	Title Deed	T494/2018
Name	MEKERK ANDRE FREDERIC VAN	Purchase Date	2017/10/26
ID Number	5812135108085	Purchase Price (R)	1,600,000
Share (%)	-	Registration Date	2018/01/10

MAPS



Open StreetMap contributors

PROPERTY INFORMATION

Address
Primary Use
Estate

Room Configuration

Bedrooms	1	Reception Areas
Bathrooms	1	Study/Office
Kitchens	1	
Internal Finishes		

General Information

Door Number		Roof Type
Floor Size (m²)		Wall Type
Storeys	-	Construction Year

Other Features

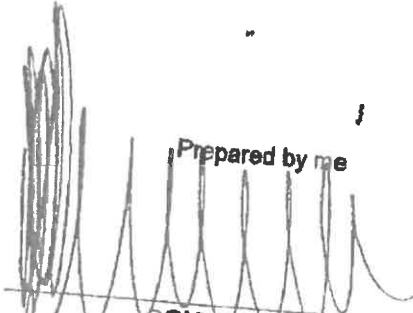
Garages	Additional Dwellings
Garden	
Pool	

MUNICIPAL VALUATION

Municipal Valuation	-	Valuation Year
Zoning Usage	-	

Herbie Oosthuizen and Associates
71 Montagu Street
Mossel Bay
6500

Fee endorsement		
Purchase price/Value	Stamp	Gross fee
	R 1500 000.00	R 1050.00
Mortgage Amount		
Person's ID Number		Stamp 12.0

Prepared by me

CONVEYANCER
YOLANDA MINNIE

T 494/2018

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

GERRIT JOHAN MÖLLER

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 MOSSEL BAY on 1 DECEMBER
2017 granted to him by

CSHELL 172 PROPRIETARY LIMITED
Registration Number: 2005/035900/07

DATA / CAPTURE
15 JAN 2018
MARLYN BARLOW

DATA / CAPTURE
17 JAN 2018
MARLYN BARLOW

And the appearer declared that his said principal had, on 26 October 2017, truly and legally sold by Private Treaty, and that he, the said Appearer, in his capacity aforesaid, did, by virtue of these presents, cede and transfer to and on behalf of:

ANDRÉ FREDERIC VAN NIEKERK
Identity Number 581213 5108 085
Unmarried

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

1. **PORTION 112 OF FARM HANS MOES KRAAL NUMBER 202,
IN THE MUNICIPALITY OF GEORGE, DIVISION OF GEORGE,
PROVINCE OF THE WESTERN CAPE**

**IN EXTENT 3,0443 (THREE COMMA ZERO FOUR FOUR THREE)
Hectares**

**AS WILL APPEAR from General Plan Number 5188/2000 AND HELD
BY Deed of Transfer Number T10825/2013.**

- A. **SUBJECT TO** the conditions referred to in Certificate of registered Title Number T1918/1934.
- B. **SUBJECT FURTHER TO** the following condition contained in Amended Title issued on 19 November 1909 (George Leaseholds Volume 15 Number 4) namely:

"That the land thus granted shall be subject to all such duties and regulations as either are already or shall in future be established respecting land granted on similar tenure."

- C. **ENTITLED** to the conditions of the special conditions of Servitude (which endorsement dated 16 October 1925 in the said Amended Title dated 19 November 1909) in respect of a right of Public Way which has been extended to Stand DC held by Deed of Transfer Number T9966/1925 dated 16 October 1925 in favour of the Divisional Council of George.

D. SUBJECT FURTHER TO the following special conditions contained of Deed of Transfer Number T12849/1936 dated 17 December 1936, namely:

"That no owner or occupier of the land hereby transferred shall at any time place any gate or obstruction across any road lawfully constructed by the Divisional council of George for the purposes of giving access to the Public Outspan on the said farm HANS MOES KRAAL, without the consent of the said Council. It having been agreed between the London Missionary Society and Divisional Council that in consideration of this prohibition that latter will bear half the costs of any fence not exceeding five strands of wire that may be erected along any such road."

E. SUBJECT FURTHER TO the following condition imposed by the Transferor in favour of Colbyrne Home Owners Association, namely

Die eiendom mag nie transporteer word sonder die skriftelike toestemming van die COLBYRNE HUISEIENAARSVERENIGING nie, en elke eienaar of sy opvolger-in-titel tot die eiendom sal 'n lid word van die COLBYRNE HUISEIENAARSVERENIGING.

F. SUBJECT FURTHER TO a servitude right of way 2 (two) metres wide in favour Colbyrne Home Owners Association the south-eastern boundary of which is indicated by the line A3 – A5 on General Plan Number SG 5188/2000

2. PORTION 113 OF THE FARM HANS MOES KRAAL NUMBER 202, IN THE MUNICIPALITY OF GEORGE, DIVISION OF GEORGE, PROVINCE OF THE WESTERN CAPE

IN EXTENT 3,1406 (THREE COMMA ONE FOUR ZERO SIX) Hectares

AS WILL APPEAR from General Plan Number 5188/2000 **AND HELD BY** Deed of Transfer Number T10825/2013.

A. SUBJECT TO the conditions referred to in Certificate of registered Title Number T1918/1934.

B. SUBJECT FURTHER TO the following condition contained in Amended Title issued on 19 November 1909 (George Leaseholds Volume 15 Number 4) namely:


Gha. Conno 16.3.1.2

"That the land thus granted shall be subject to all such duties and regulations as either are already or shall in future be established respecting land granted on similar tenure."

C. ENTITLED to the conditions of the special conditions of Servitude (which endorsement dated 16 October 1925 in the said Amended Title dated 19 November 1909) in respect of a right of Public Way which has been extended to Stand DC held by Deed of Transfer Number T9966/1925 dated 16 October 1925 in favour of the Divisional Council of George.

D. SUBJECT FURTHER TO the following special conditions contained of Deed of Transfer Number T12849/1936 dated 17 December 1936, namely:

"That no owner or occupier of the land hereby transferred shall at any time place any gate or obstruction across any road lawfully constructed by the Divisional council of George for the purposes of giving access to the Public Outspan on the said farm HANS MOES KRAAL, without the consent of the said Council. It having been agreed between the London Missionary Society and Divisional Council that in consideration of this prohibition that latter will bear half the costs of any fence not exceeding five strands of wire that may be erected along any such road."

E. SUBJECT FURTHER TO the following condition imposed by the Transferor in favour of Colbyrne Home Owners Association, namely :

Die eiendom mag nie transporteer word sonder die skriftelike toestemming van die COLBYRNE HUISEIENAARSVERENIGING nie, en elke eienaar of sy opvolger-in-titel tot die eiendom sal 'n lid word van die COLBYRNE HUISEIENAARSVERENIGING.

F. SUBJECT FURTHER TO a servitude area 6 (six) metres wide in favour Colbyrne Home Owners Association the north-western and the eastern boundary of which is indicated by the line A1 – C and C – A2 on General Plan Number SG 5188/2000

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

CSHELL 172 PROPRIETARY LIMITED
Registration Number : 2005/035900/07

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

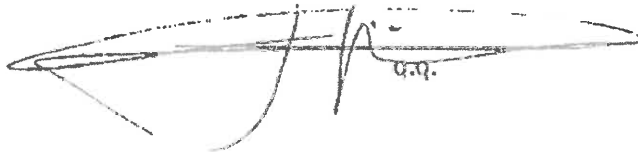
ANDRÉ FREDERIC VAN NIEKERK,
Unmarried

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 R1 500 000,00 (ONE 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

10 January 2018



In my presence


REGISTRAR OF DEEDS
Ghaaf Convey 16.3.1.2