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## Original Page 1

**Verwysing:**

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**RULES FOR THE CONTROL AND MNAGÉMENT**

**OF THE BUILDING KNOWN AS UBESWILL"**

**AND OF ERF 832, PRETORIA GARDENS,**

**ON WHICH THE BUILDING IS SITUATED**

**RORICII, WOLMARANS & LUDERITZ**

**INGELYÉ**

INCORPORATED Prokureurs Notarise Aktevervaardigers Attorueys Notaries Greveyancers Posbug/P.O. Box 2330 Tel. 48-3912

**PRETORIA 0001**

# Original Page 2

2. 3. 4. 5.

## RULES FOR THE CONTROL AND MANAGEMENT OF THE

## BUILDING KNOWN AS -

"BESWILL" AND OF - ERF 832, PRETORIA GARDENS, Registration ..Division J.R., Transvaal, ON WHICH THE BUILDING

## IS SITUATED.

## SCHEDULE 1.

(Section 27 (i) )

Trustees of the Body Corporate: There shan be not less than three nor more than seven trustees who shall be owners, or nominees of owners who are juristic persons, and who shall be elected at each Provided that where there are annual general meeting;. only two or three owners, all the owners who are natural persons and One nominee of each owner who is a juristic person, shall' be the trustees. Except where all the owners or their nominees are trustees, the body corporate may by resolution at an extraordinary general meeting remove .any trustee from his office before the expiration of his term of office and appoint another owner, or another nominee of an owner who is a juristic person, in his place to hold office until the next annual general meeting. Any casual vacancy among the trustees. may be fm led by the remaining trustees. At a meeting of trustees, two trustees shall form a quorum where there are four or. less than four trustees; three trustees shaTI form a quorum where there are five or six trustees; and where there are seven trustees, four trustees shall form a quorum.

5.1 At the commencement of the first meeting of the trustees after the annual general meeting, the trustees shall elect a chairman, who shall hold office as such until the next ensuing annual general meeting and who shall have /

## Original Page 3

have a casting as well as a deliberative vote; If any chairman so elected vacates his office. as cha.iman before the expiration of his period of office, 'the trus-teesshall elect another chairman who shall hold office as Such for the remainder of the period for first-mentioned chairman was so elected and who shall have thé same rights of voting. If any chairman so elected vacates the chair during the course Qf a meeting, or is for any reason unable to preside at any meeting, the . trustees Shal) choose another chairman för that meeting who shall have the same rights of voting.

6. 7. 8. 9. 5.2 5.3 7.1 7.2 7.3

All matters at any meeting of the trustees shall be detehmined by simple majority vote. The trusteeS may -meet together for the conduct of business; adjourn and otherwise regülate their ITEetings as they deem fit; Provided that they shall meet when any trustee gives to the other trustees not less than seven days' notice of a. meeting proposed by him, specifying the reason for calling such meeting; appoint for and on behalf of the body corporate such agents and employees as they deem fit in connection with the control, management and administration of the common property and the exercise and performance of the powers and duties of the body corporate; subject to any restriction imposed or direction given at .1 The

8.1 8.2 8.3 8.4 8.5

a general meeting, delegate to one or more of the trustees such of their powers and duties as they deem fit, and at any time revoke such delegatibn. trustee shall -keep minutes Of their proceedings; .@usé miriutes to be kept of general meetings; cause proper books of account to be kept in respect vof all sums of money received and expended by them and the matters in respect of which such receipt ånd expenditure occur; for each annual general meeting, prepare proper accounts, audited by a -registered accountants relating to all moneys and the income and expenditure of the body corporate. on the appl ication of an owner or any person authorised in writing by him, måke the books of account available for inspection at all reasonable times. Any /

## Original Page 4

9. 10.

II.

12. 13. 14.

- 15.

16. Any act performed in good faith by the trustees shall , notwithstanding that it is after the performance of the act discovered that there was some defect in the appoint-ment or continuance in office of any trustee, be as valid as if such trustee had been duly apvointed or had duly continued in Office. Two trustees shall sign every instrument on behalf of the body corporate.

### GENERAL MEETINGS:

A general meeting of owners shall be held within three months of the date on which the body corporate comes into being as contemplated in section 28(1). Subsequent general meetings shall be held once in each year; Provided that not more than fifteen months shall elapse be-tween the date of one annual general meeting and that of the next. All general meetings other than the annual general flEeting shäll be cal led extraordinary general meetings, -The trustees may, whenever they think fit, and shall, upon a requisition in writing made by owners entitled to twenty-five per centum .of the the total of the quotas of all the sections, con-vene an extraordinary general meeting. Seven days' notice of every general meeting specifying the place, the date and the hour of the meeting, and in the case of special business, the general nature of such business, shall be given to -all owners and to all holders of sectional mortgage bonds who have advised. the body corporate of their interests; Provided that inadvertent omission: to give such notice to any oWner or mortgagee or the non-receipt of such notice by any owner or mortgagee shall not inval idate any proceedings at any such meeting;

PROCEEDINGS AT GENERAL MEETINGS Save that consideration Of the accounts and the election of trustees at /

## Original Page 5

I

18. 19. 20. 21. 22.

at an annual general meeting shall be ordinary business, all business at any general meeting shall be special business;

17.1 Save as in this Schedule is otherwise provided, no business shall be transacted at any general meeting unless a quortzn of persons entitled to vote iS present at the time when the meeting proceeds to business.

17.2 One-half of the persons entitled to vote in person or by proxy shall constitute a quorum. If within half an hour from the time appointed for a general meeting a quorum is not present, the meeting shall stand ad-journed td the same day in the next week at the same place and time, and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting, the persons present and entitled to vote shall be a quorum. At the cormencement of a general meeting, chairman Shal) be elected for the ifieeting.

20.1 20.2 20.3

At any general meeting a resolution by the vote of the meeting shall be decided on a show of hands unless a poll is demandéd by any owner in person or by proxy. Unless a poll be so demanded, a declaration by the chair-man that a resolution has on the show of hands been carried shall be conclusive évidence of that fact without proof of the number or proportion of votes recorded in favour of or against such resol ution. A demand for a poll may be withdrawn. A poll if demanded, shall be taken in such manner as the chairman thinks fit, and the result of the poll shall be deemed to be the resolution of the meeting at which such poll was demanded. In the case Of equality in the vptes , - .Whethe+ on. a show of hands or on a poll, the chairman of be entitled to a casting vote in addition to his delibeFaCive VÖEe. VOTES /..

# Original Page 6

23. 24. 25. 26. 27.

## VOTES OF OWNERS:

On a show of hands, the owner or owners of a section shall have for the purposes of a special resolution (with or one vote; without a poll) or on a poll, the value of the vote of the owner or owners of section shall, subject to the provisions of proviso (i i) to section 23(1), correspond with the quote of his or their section. On a show of hands or on a poll, votes may be given either personally or by proxy.

25.1 An instrument appointing a proxy shall be in writing under the hand of the appointer or his agent and may be either general or for a particular meeting.

25.2 A proxy need not be an owner-Except in cases where a special resolution or a unanimous resolution is required under this Act, no owner shall be entitled to vote at any general meeting unless all contributions payable by him .in respect of his section and his undivided share in the comon- pFoperty have been duly paid. Where an owner of a section iS as such a trustee for a beneficiary he shall exercise the voting rights in regpect of the section to the excl us ion of persons beneficially interested in the trus!, and such persons Shäll not vote,

# Original Page 7

## SCHEDULE 2.

(Section 27 An omer shall not -

1.2 1.

3 4

1. use his section or permit his section to be used for any purpose which is injurious to the reputation of the building; keei or do anything on the cotmon property after notice in that behalf from the trustees; keep any animal in his section or on the common property after notice in that behalf from the trustees; do or permit to be done in his section or on the comon property anything which will or may increase the rate of the premium payable by the body corporate on any insurance policy.

2. 3.

When the purpose for which a section is intended to be used, is shown expressly or by necessary impl icationon or by the registered sectional plan, an owner shall not use or permit his Section to be used for any other purposes. No duty shall be placed upon any owner in regard to the provision of any improvement on or to the common property unless a proposal tp make such improvénent has been approved by a special resolution at a general meeting of owners of sections. .1

# Original Page 8

81/1980

**SECTIONAL PLAN NO:**

**THE REGISTRAR OF DEEDS,**

**PRETORIA.**

**EEELREC....**

DUTY

c) FEES We, the

**NOTIFICATION IN TERMS OF SECTION 27(2**

OF THE SECTIONAL TITLES ACT, 1971 undersigned,

**RICHARD WILLIAM PURNELL, and**

MARTHINUS MEINTJES 85 or buildings

"BESWILL" Trustees of the Controlling Body of the building/known as situate on ERF 832, PRETORIA GARDENS, Registration Division J.R. , Transvaal 5 . hereby give notice that on the 29th December 1980, the Controlling Body made the following rules for the control and management of the building and Erf 832, PRETORIA GARDENS on which the building is situated -By a unanimous resolution of the members of the body corporate, the rules contained in SChedule 1 of the rules submitted to' the Registrar of Deeds in terms of Section 5(3)(f) Of the Act were répealed in their entirety, and the rules contained in the annexure hereto entitled "Schedule I (Section (i) of the Sectional Titles Act, 1971) initialled by us for the purpose of identification were adopted in substitution therefor. By a Special Resolution _of the members of the Body Corporate the rules contained in Schedule 2 of the Rules submitted to the Registrar of Deeds in terms of SectiOn 5(3)(f) Qf the Act were repealed in their- enti rety and the rules contained in the annexure hereto entitled "Schedule 2 (Section of the Sectional initialled by us for purposes of identification Titles Act 1971)" were adopted in substitution therefor.

**RICYARD WILLIAM .1**

**DATE:**

**Address :**

**Address :**

29th December 1980

## Original Page 9

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**RULES FOR COffROL MANAGE\EVI'**

**OF THE BUILDING IqOWN AS**

**"BESWILL"**

**mm ERF 832, PRETORIA CARDN4S**

**BUILDING IS SITUATED.**

12 -0f-l.

RORICTI, WOLMARANS & LUDERITZ Prokureurs Notarisse Aktevervaardigers Attorneys -Notaries Conveyancers Posbus[P-o. Box 2330 Tel. 48-3912

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# Original Page 10

INDEX 1

## SCHEDULE

## PRELNINAIQ'

DO,IICILIIN TRUSTEES Qualifications , Election Nonination Vacancy Alternate Trustees Remuneration Validity of Acts Indemity Disqualification) to be held, Quorun Chai man Vo ti_ng FUNCTIONS OF TWSTEES (General, Powrers of Appointment Delegation

## House Rules Signing of instrurnents

MJTIES OF TRUSTEES Statutory and General Insurance

RECORD OF RILES Contributions and Liability 1 PAGE 2 PAGE 3 3 4 4 4 5 5 5 6 6 PAGE 7 8 PAGE 9 9 10 10 10 10 PAGE 10 11, 13, 12 & 13 14 & 15

## ELECTRICITY WATER AND GAS BOOKS OF Accom

## ßNNtJAL FIN%'IAL ESTIMATE,

## FINANCIAL STATFNFNT REPORT AUDIT

## IEOSIT AND INVESTENT OF FUNDS

## NO' REFUNDS

## AND ilJTIES

## MANAGING AGENT

## ETINGS OF

## NJEIES OF OR OCCUPIERS

## GQPDEN A[ELS

## CQPORTS

EXPROPRIATION PAGE PAGE PAG 16 PAGE PAGE 18 PAGE 18 PAGE PAGG 15 — 16 16 - 17 PAGE 17- 18 18 - 19 20 & 21 19, 21, PAæ 27 - 28 PAGE 28 - 29 30 -PAGE PAGE PAGE 22 & 23, 31 31 - 32 24, 25 & 26

# Original Page 11

I hereby certify that these are the rules for inclusion in Schedule I (Section 27 (2) (a) (i) which were duly submitted to an extraordinary general neeting of the body corporate as the by an the o e Se ling Body of BESWILL" ted us resolution of men-bers Ibstitution for the ed e. as submitted to Regist r of of Section 5(3) Of itles Act, No 66 0

71.

## CHAIRMAN OF II-IE MEETING DATE: 4.

## RILES FOR CONTROL OF THE

## BUILDING AS 'IBESKILL"

## ERF 832 PRETORIA

## GEREG!SFREER HIERDi

ON BUILDING rs SIWAT Aktekant6ör

## SCHEDULE 1 Deeds Office THIS...„ egistrateur van AkteS Registrar of Oeedg .1 27 Of It es ct 1971)

## PRELIMINARY :

1. IYE Rules contained in this Schedule shall not be added to, anended or repealed except in accordance with section 27 (2) (a) (i) of the Sectional Titles Act, 1971, and stbject to the provisions of section 27(3) of the Aét.

2. IN the interpre!ation of these rules, tmless the context otherwise indicates -

2.1 "Act" means the Sectional Titles Act, 1971 (Act 66 of 1971) as amended from time to time and Fegu-lations made and in force thereunder.

2.2 words and expressions used shall bear the meanings assigned to them in Act.

2.3 "trustee" includek

2.4 words importing -an. altemate trustee. 2.4.1 the/ .... 71)

# Original Page 12

2. 2. 2. 4. 4.

5 I 2 the singular nurbér only shall include the plural, and the converse shall also apply; the masculine gender shåll include the fenünine and neuter genders and the neuter gender shall include the masculine and feminine genders . the headings to the respective rules are provided for convenience of reference only and are not to be taken into account in the interpretation of the rules.

## DulCIL1tnv1 CITANDI ET EXECUTANDI

3.1 The trustees shall from time to time detemine the address constituting the dmicilium citandi et executmdi of the body corporate as required by section 29 (I) (h) of the Act, stbject to the following

1.1 3.2

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2 3 4 such address shall be situate in the magisterial district of Pretoria; tmtil otherwise determined by the trustees, the domicilium citandi et executand-i shall be at PREMIER

INVESTMENTS 201 CITY CENTRE, PRETORIUS STREET, PRETORIA; no change of such address shall be effective mtil written notification has been received by the registrar; the trustees shall give written notice to all owners of any change of such address. 'Ihe domiciliun citmdi et executandi of each owner shall be the address of thé section registered in his narE provided that such omer shall be en€itled from time to time to change the said ddmicilium subject to the condition that any new domicilitm selected shall be situate in the magisterial district of Pretoria and the change shall only be effective on receipt of written notice thereof by the body corporate at its dorrücilium.

## TWSTEES/.....

## Original Page 13

TRJSTFÆS OF BODY CORPORATE Qualifications; Election; Tenure of Office; Remuneration; Indemnity;

4. The nunber of trustees shall be determined from time to time by the rerrbers of the body coxporate in general rneeting, provided that there shall be not less than two nor more tharr trustees. With effect from the date when these rules come into foice the trustees shall be

(i) Richard William Purnell

(ii) Marthinus Meintjes who shall hold office until .the first annual general meeting of the menbers of the body corporate subsequent to the date when these rules cone into force, when the said trustees shall retire but be eligible for re—election. The chaiman of the trustees referred to in rule 4 (2) shall be RICHARD WILLIAM PURNELL who shall hold office until the general neeting referred .to in rule 4 (2) when he shall retire as a trustee and as chairman but be eligible for re—election In terns of rule

18.

### WALIFICATIONS:

5. A Trustee or alternate trustee shall not bé required to be an Owner or the nominee of an owner who is a juristic person to. qualify for office as a trustee.

### ELECTION OF TRUSTES:

6. Save for the provisions of rule a the trustees shall be elected at each annual general meeting and shall hold office until the next succeeding annual general meeting, but shall be eligible /

## Original Page 14

eligible for re—election.

### NO,f1NQTIONS.

7. Nominations by owners for the election of trustees at any annual general meeting shall be given in writing, acconpanied by the written consent of the person nominated, SQ as to be received at the domicilitm of the body corporate not later than 48 hours before the meeting.

### VACANCY IN NIMBER OF TRISTEES AND co-orriQN

8. The Trustees may fill any vacancy in their rumber or co-opt and additional trustee, provided that the number of trustees shall not exceed the maximtm nuder prescribed in rule 4. I . Any trustee so appointed or co—opted shall hold office until the next annual general meeting when he shall retire and bé eligible re-election as though he had been elected at the previous annual general meeting.

### ALTER.NAIE TRJSTEES

9.1 9. 9.

Z 3 A Trustee may appoint another person, reasonable acceptable to his co—trustees, whether or not the be the owner of a unit, to act. as his alternate during his absence or inability to act as a trustee. altemate trustee shall have the powers and be s'±ject to the duties of the trustee by whom he was appointed. An altemate trustee shall cease to hold office if the trustee appointilig him ceases to be a trustee or if his appointment is revoked by the trustee whom appointed him,

### UUNERATION:

10.1 Unless otherwise determined by a special resolution of the ovmers /

## Original Page 15

10. 2 ffmers, trustees who are omers shall not be entitled to any rermmeration in respect of their services as such; provided that the body corporate shall re—frburse to the tzutee all disbursements and expenses actually and reasonably incurred by them in carrying out their 'duties and exercising their powers. Thé body corporate may remunerate trustees who are not c»mers at such rate as may be: agreed between the body corpo-rate and such trustees, and such trustees shall further be entitled to have refunded any disbursement and expenses in-curred by them in the circumstances envisage iri sub-rule I of this rule.

### OF ACTS OF TRJSTEES:

I I. Any act perfomed by trustees shall, notwithstanding that it is after the perfomance. of the act discovered that there was some defect in the appointment of continuance in office of any trustee, be as valid as if such trustee had been duly . appointed or had duly continued in office.

### INDANITY:

12.1 Subject to the provisions of sib-rule 2 every trustee, agent or other officer or servant of the body corporate shall be indemified by the body corporate against all costs, Losses , expenses and clains which he may incur or become liable to by reason of ary act done by him in the discharge of his duties , unless such costs, losses, exrpenses or claims are caused by the gross negligence, wilful default or fraudulent act of sudl person; and it shall be the duty of the trustees to pay such indimity out of the finds of the body corporate.

12.2 me indeymity referred to in sub-rule I shall not apply in favour of any managing agent appointed in tenns of rule 46.

### DISQUALIFICATION /

# Original Page 16

## DISQUALIFICATION OF TRUSTEES:

## RENOVAL FRO/I OFFICE:

13. 14.

A trustee shall cease to hold office as such -

13.1 13.

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13. 5 136 If by notice in writing to the body corporate he resigns his -office. If he is OT becomes of unsound mind. If he surrenders his estate as insolvent or his estate is sequestrated. If he is convicted of an offence which involves dishones ty. If by special resolution of an extraordinay general meeting of the body corporate, he is rernoved fron his office. If he is or becomes in tems of section 218 or 219 of the Convanies Act, 19 73, disqualified from being appoin-ted or acting as a director ofa company. me Body Corporate may by special Tesolution at any extraordinay general meeting remove any Trustee before the expiry date of his tem of office and appoint another Trustee in his place to hold office for the urE)Qired part of the term of office of the Trustee so removed, provided that the intention to vote upon the remo-val from office was specified in the notice convening the rpeeting.

## MEETINGS OF TEUSTEES:

## QUORJM: QIAIRüN: VOTING:

## TO BE AND NOTICE:

15.1' Subject to the prpvisions of sub—rule 2 and 3 hereof, the trustees may give notice convening meetings, meet together for the despatch of business, adjourn and otherwise regulate their meetings as they think fit. It shall not be necessary to/

## Original Page 17

15. 15. 15.

2 3 4

### QUORUM:

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16.3 to give notice of a meeting of trustees to any trustee for the time being absent from the Republic but notice of any such meeting shall be given to his alternate, if he has appointed one, provided that such alternate is in the Republic. A Trustee may at any time convene a meeting of the trustees by giving to the other trustees and all first morgagees in the circumstances referred to in sub-rule 3 hereof not less than seven days' written notice of a ræeting proposed by him, which notice shall specify the reason for calling such a meeting; provided that in cases of urgency such shorter notice as is reasonable in the circumstances may be given. Any mortgagee holding first mortgage bonds over not less than 25% of the unites shall, if it so requires the trustees in writing be entitled to receive reasonable notice of all meetings of the trustees, provided such mortgagee has advised the Body Corporate, of its (the mortgagéets) interest. The nominee of any such first mortgagek shall be entitled to attend and speak at all meetings of the-trustees but shall not in his capacity as such, be entitled to vote thereat. At a meeting of trustees, two trustees shall form a quorum where there are four or less than four trustees; three trustees shall form a quorum where there are five or Six trustees; and where there are seven trustees, four trustees shall form a quorum. If the number of trustees falls below the number necessary to form a quorum, the. remaining trustees may continue to act but only for the purpose of appointing or co-opting additional trustees to make up a quorum or for the purpose of convening a general meeting of owners . If the number of Trustees falls below the number elected at the previous annual general meeting, the remaining trustees may co-opt additional members to make up the number.

17. If /

## Original Page 18

17.

### NINIAN:

18. 19. 20. 21.

### VOTING:

22. 8-If at any meeting of the Trustees a quorm is not present within 30 minutes of the appointed time of the meeting , such meeting shall stand adjourned to the next business day which a quoxum of Trustees, by mtual agreement, can be present. At the comencement of the first meeting of trustees after each amual general meeting, the trustees shall elect a chaiman from among their rumber who Shall hold office as such until the end of the next ensuing annual general meeting of the merbers of the body corporate and who shall have a casting as well as a deliberative vote. 'Ihe body corporate may at any extraordinary general meeting, in respect of which the requisite notice of special. business has been given, remove the chairman from his office as such. If any chairrnan elected in tems of rule 18 vacates his office as chaimån or no longer continues in office by virtue of the provisions of rule 19, the trustees shall elect another chairrnan i'ho shall hold office as such for the remainder of the period of offfice of the fårstrænt ioned chairman and shall have the same rights of voting. If any chairman vacates the chair during the course of a meeting or is not present or is for any other reason unable to preside at any meeting the trustees present at such meeting shall choose another chaiman for such meeting who shall have the same rights of voting as the chain-nan. ALL matters at any meeting of the trustees shall be deter-. mined by a majority of the votes of the trustees present and voting /

# Original Page 19

23. 24.

voting.

No trustee shall be disqualified from voting in respect of any contract or proposed contract of any litigation OT proposed litigation with the body corporate by virtue of any interest he may have therein, provided he declares the nature and extent of his interest .which must thereupon be noted in the records of the reeting. A resolution in writing sigled by all the trustees for the time being present in the Republic and being not less than are sufficient to form a quorum, shall be as valid and effec-tive as if it had been passed at a rreeting of the trustees duly convened and held.

## TEE HJNCt10NS, PffRIERS AD nnm.0F TWSIEES:

## GENERAL:

25. The duties and powers of the body corporate shall, subject to the provisions of the ACt and these rules and to any restric-tion imposed OT direction given at a general æeting of the owners of sections, be perfomed or exercised b' the trustees of the body corporate holding office in terms of these rules. POERS.

26.1 me pmrers of the trustees shall include the following Pæers

26.1.

## Of Appointment:

Subject to any restriction inposed or direction given I

1. 2 at a general meeting of the bddY corporate, to appoint for and an behalf of the body corporate such agents and enployees as they deem fit in conneotion with the control, management and administration of the comon property; and the exercise and performance of any or all Of the iowers and duties of the body corporate. Delegation: .

# Original Page 20

## Delegation:

0) Subject to any restriction imposed or direction given at a general æeting of the body corporate, to delegate to one or mre of the trustees such of their pcw,rers and duties as they deem fit, and at any time revoke such delegation.

## House Rules

(c) Subject to any restriction imposed or direction given at a general meeting of the body corporate, to make

## house rules from time to time for the control, use, safety and cleanliness of the comon property, which house

(ii) .(iii)

(21 The Trustees to owners of rules shall not conflict with the Act or with these rules; be reasonable; apply equally to all ffmers. may not make loans on behalf of the body corporate tmits or to themselves without a special resolution I from the body corporate to that effect.

## SIGNING OF INSTRUMkNTS.

27. No instrunent signed on behalf of the body corporate. shall be valid and binding unless it is signed by a trustee and the managing agent referred to in rule 46, or unless two trustees sign where there is no managing agent.

## ÄJTIES OF TRUSTEES STATUTORY AND nrr1Es

(I) Without detracting from the scope of the additional duties

28. specified in rules 29 to 45, and subject to the provisions of such rules, the trustees shall perform the duties placed upon them by Sections 29 md 31 of the Act. (2). The Trustees shall do all things reasonable necessaxy fer the control, managerrent and. administration of the comon property in .

## Original Page 21

in terms Of the power conferred upon the body corporate by section of the Act.

28.3 The Trustees shall do all things reasonably necessary for the enforcement of the rules and house rules in force from time to time.

### INSURANCE:

29.1 (a) At the first meeting of the trustees or so soon thereafter as is possible, and annually thereafter, the trustees shall take steps to insure the buildings and all improvements to the common property to the full replacement value thereof against: .1

(i) (a) (b) (c) (v) (vi) (vii) (viii) (ix) (x)

fire, lightning and explosion; riot, civil commotion, strikes, lock-outs, labour disturbances or malicious persons acting on behalf of or in connection with any pol itical organisation; storm, tempest, flood excl uding loss or damage caused by a rise in the underground water table or pressures caused thereby; loss or damage td gates. fences, boundary walls, garden val Is and retaining walls; loss or damage caused by subsidence or land slip. earthquake; aircraft and other aerial devices or articles dropped thérefrom;-bursting or overfl owing of water tanks, apparatus or pipes; impact With any of the said buildings or improvements by any road vehicle, horses or cattle; housebreaking Or any attempt thereat; compensation for loss of occupation or loss of rent in respectof any of the above risks; such other perils or dangers as the trustees or any first mortgagee referred. to in rule 15(3) may deem appropriate. (b) The Trustees sahll at all times ensure that in the policies of insurance referred to in subrule (a) above. ( i) there is specified the replacement value of each unit (excluding the ownerJs interest in the land) (aa) initially (but subject to the provisions of (cc) in accordance with the trustees' estimate of such value; (bb) after the first annual general meeting (but subjec to the provisions of (cc) in accordance with the sche ule of value as approved in terms of sub-rule (c);

## Original Page 22

(iii) (cc) as requi red at any time by any owner in terms Of süb-rule (d); any "average" cl ause is restricted in its effect to individual units and does not average the building as a whole. There is included a clause in terms of which the policy is valid and enforceable by any mortgagee against the insurer, notwithstanding any circumstances whatsoever which would otherwise entitle the insurer to refuse to make payment of the amount insured unless and until the insurer on not less than one month's notice to the mortgagee shall have terminated such insurance.

(c) (d) (2)

Before every annual general rneeting, the trustees shall cause to be prepared schedules refl ecting their estimate of:

(i) the replacement value of the buildings and all improvements to the comon property; and the replacement value of each unit (excluding the ownerls interest in the land), the aggregate of such values of all units being equal to the value referred to in (i) above; and such schedules shall be laid before the annual general meeting for consideration and approval in terms of rule 57. Any owner may at any time require the trustees to specify in the insurance policy a higher replacement value in respect of his unit (excluding his interest in the land) . In such event, the total insurance shall be i ricreased accordingly. The portion of the premium for-which each owner is liable shall be calculated and adjusted in terms of rule 31 whenever the specified value of his unit is altered and the trustee shall immediately comply with thé provisions of rule Thé T Pustees shall, on the written request of a mortgagee and satisfactory proof thereof, record the cession by any owner to such mortgagee of the owner's interest in the appl ication of the proceeds of the pol icies of insurance effected in terms of rule 1 (a). At the first meeting Of the trustees or so soon thereafter as is possible, the trustees shall take steps . 4

# Original Page 23

.1 II

(b) (c)

to insure the owners and the trustees and to keep them

## insured against liablility in r.espect of:

(i) death, bodily injury or illness; or (i i) loss of, or damage to property; occurring in connection with the sections or the comon property for a sum of liability Of not less than one hundred thousand rand, which sum may be increased from time to time as directed by the owners in general meeting , and to procure a fidelity guarantee in terms of which any loss Of moneys belonging to the body corporate or for which it is responsible sustained as a result Of act(s) of fraud or dishonesty committed by any insured . person being any person in the service of the body corporate and all trustees and persons acting in the capacity of managing agents of the body corporate will be made good up to a total sum of liability equal to total levies due and payable over a six month period, plus the accumulated reserves which sum may be increased from time to time as directed by the owners in general meeting; and to procure a cash pol icy in terms of which thehe Wi-II be made

## good :

(i) loss of money in the course of business up to and including an amount equivalent to total levies due and payable in one month or such lesser amount as the trustees from time to time may determine.

(ii) loss of or damage to any receptacle for which the body corporate is responsible resul ting from the theft of money.

3. .1 The owners may by special resolution direct the trustees to insure against such other risks as the owners 'may determine.

## CONTRIBUTIONS AND LIABILITY IN TERMS OF SECTION 30(1) AND 35 OF THE ACT:

30. IT shall be the duty of the trustees to levy and collect contributiöns from the owners in accordance with the provisions and. in the proportions set forth in rule 31 THE liabil i ty of owners to make contributions, and the proportions in Which the owners shall make contributions for the prupose of sectipn 30(1) of the Act or may in terms of section 35 of the Act be held liable for the payment of a /,judgment .

## Original Page 24

judgment debt of Ole body cmvorate, shall be as follff.'s -in respect of premiuIIE on policies of insurance effeéted by the body corporate in tems of rule

29.1.1 the of each umit shall be liable for — .1

1.1 I.I.I 1.1.2

31.1 31 1.z.2 1.2.3

31. an amot_mt equal to the replacement value of thc unit as specified in the insurance po-licy multiplied by the relevant insurance premium rate; and any preniuuns payable by the body corporate during the course of the year as a of the replaceænt valte of the tmit being varied in terrs of rule 29.1 .4; All costs relating to sanitary fees shall be levied against each owner in accordance with the direct costs incurred by the services supplied to his tmit. All expenses related to the provisions of labour for cleaning and gardening, all bank charges, -management fees, amenities maintenance COSts , television aerial lease and maintenance costs and audit fees shall be borne by the owners in equal shares. All expenses other than those referred to in clause 31.1.1, 31.1.2.1, and 31.1.2.2 shall be borne by the owners in accordance with an amen-d6d schedule of Participation Quotas deter-mined by ignoring the floor area of garages and calculating the Participation Quotas on the grogs floor area of the living area of sections only

31. 2 every annual general meeting the body corporate shall approve , with or without amendment, the estimate of income and expenditure referred to in rule 36 and shall detemine the amount estimated to be required to be levied upon the owners during the ensuing financial year,

31.3 /

## Original Page 25

3] . 3 vm-iIN fourteen days after each annual general æet.ing the trustees shall determine the amount payable by each owner in accordance with his participation quota, save as is otherwise provided in terJIE of rule 31 . I and shall forth-with advise each owner in writing of the amount payable. Such amotmt shall thereupon become payable in monthly or quarterly instalments as the trustees may determine, the first such instalment being payable on the first day of the month following such notification.

### RECORD OF RULES AND AVAILABILITI

33. I 2 THE Trustees shall keep a complete record of all rules and

### house rules in force from time to time. Ihe trustees shall on the application of

32.2.1 an" amer of a unit,

32.2.2 an. occÄVant. of a unit, 32.2.3. the prospective purchaser of a unit,

32.2.4 the holder Of any registered sectional nortgage bond,

32.2.5 the managing agent, and

32.2.6 the auditor supply to st.Ch persons a copy of all rules and house mles in force and may lequire them to pay a reasonable charge therefor.

### EIECTRICIIY WATER uS:

33.1 33.2

Trustees nay, and shall if so required in writing by any t-wro owners, procure the installation and maintenance in good working order, at the body corporate's cost, of separate meters to record the consumption of electricity, water gas in respect of each individual section and the comon property.

## Original Page 26

33.2 IF in in in — 16 — and for so long as no separate meters have been installed terns of subrule 33. I the contribution payable by each owner respect of electricity, water and gas shall be calculated accordarlce with the provisions of rule 31 .

### hflNtms:

34.1 34. 34.

The Trustees shall -34.1.1.

34. i .2 34.1.3 keep minutes of their proceedings; cause minutes to be kept of all meetings of the body corporate kept for that purpose. include in the minute book of the body corporate a record of every unanimous resolution, special resolution and any other resolution of the body corporate. rme Trustees Shall keep all minute books i_n perpetuity 2 Cn the written application of any owner or registered 3 mortgagee of a unit, the trtstees shall rake all minutes available for inspection by such amer or mortgagee.

### BOOKS OF ACCOUNP:

THE trustees shall cause' proper books of account records to be keltso as fairly to explain the transactions and financial position of the body corporate, including -

35.1 35.2

35. 1.

a record of the assets and liabilities of the bOdy corporate; and

1.2 a record of all suns of money received and expeh&d by the body corporate and the mtters in reipect of which such and expenditure occur. T. 3 a register of owners and Of registered mortgagee of units and of all other persons having real rights in such mits showing in each case their address.

1.4 individual ledger accounts in respect of each omer.

## Original Page 27

35.2 35.3 36.1 36.

2

37. 38.

39. I

39.2 ON the application of a-ry owner, registered mortgagee or of the managing agent the trustees shall nake all or any of the books of account and records available for inspection by such owner, IT0Ttgagee or managing agent. trustees shall caUse all books of accomt and records to be retained after completion of the transactions, acts or operations to which they relate for a period of three (3) years.

FINANCIAL ESTIMATE, FINNCIAL STATHENT AND REPORT BEFORE every annual general meeting, the trustees shall cause to be prepared an itemised estimate of the anticipated income md expenses of the body corporate during the ensuing financial year, which estimate shall be laid before the annual general meeting for consideration in terms of rule 57 hereof. THE estimate of expenses referred to in sub-rule 36.1 may include a reasonable provisions för contingencies. THE Trustees shall cause to be preiared, avd shall .1ay before every annual general meeting, for consideration in tems of rule 57.2 and audited financial statement in conformity with generally accepted accounting practice, which statement shall fairly present the state of affairsof the body corporate and its finances and transactions as at the end of the financial year concerned. THE trustees shall further cause to be prepared and shall lay before every annual general meeting a report signed by the chairman reviewing the. affairs of the body corporate during the past year. THE Trustees shall cause copies of the schedules, estimate, audited statement and report, referred to in rules 29.1.3, 36, 37 and 38 to be delivered to each owner at least fourteen days before the date of the annual general meeting at which they are to be considered.

**DELIVERY /**

## Original Page 28

39.2 DELIVERY under the last preceding sub-rule shall be deemed to have been effected if the documents referred to are sent by prepaid registered post as a letter properly addressed to the owner at his domicilium referred to in rule 3.2 and to any mortgagee as aforesaid at the address of such mortgagee as reflected in the records of the body corporate.

### AUDIT:

AT every annual general meeting the body corporate shall

40. appoint an auditor to hold office from the conclusion of that meeting until the conclusion of the next annual general meeting.

DEPOSIT AND INVESTMENT OF FUNDS: THE Trustees shall cause all moneys received by the body

41. corporate to be deposited to the credit of a bank account With a registered comercial bank in the name of the body corporate and, subject to any direction given or restriction imposed at a general meeting of the body corporate, such moneys shall only be withdrawn for the purpose of payment of the expenses of the body corporate and investment in terms of rule 43. THE trustees may authorise the managing agent to administer

42. and operate the account-ireferred to in rule 41 and 43 and to sign the necessary disbursement and othér documents. ANY funds not imediately required for disbursement, shall

43. be invested in a current or call account with a financial institution. INTEREST on moneys invested shall be used only towards payment

44. of the expenses Of the body corporate or to provide for con-tingencies or to accumulate a reserve for future. capital ex-pendi ture.

### NO REFUNDS OR DISTRIBUTION OF PROFITS OR ASSETS:

45.1 THE owners shall not be entitled to a refund of contributions lawfully /

## Original Page 29

45.2 lawfully levied upon them and duly paid by them. NO portion of the profits or gains of the body corporate shall be distributed to any owner or any other person.

### THE APPOINTMENTS, POWERS AND' DUTIES OF A MANAGING AGENT: I

46.1 46. 1 46.2.2 47 NOTWITHSTANDING anything to the contrary contained in rule 28, the trustees may from time to time, and shall if required by a registered mortgagee of a unit or by the members of the body corporate in general meeting, appoint a managing agent to control, manage and administer the common property and to exercise such powers and duties as may be entrusted to the managing agent, including the power to collect contributions levied and the power to appoint a supervisor, superintendent or caretaker. THE Trustees shall ensure that there is included in the contract of appointment of all managing agents a provision to the effect that if he is in breach of any of. the provisions of his contract, or if he is guilty of conduct which at comon law would justify the termination of a contract .between . master and Servant, the trustees may, without notice, cancel such contract-of appointment and that the managing agent shall have no' claim whatsoever against the body corporate or any of the owners as a result of such cancellation. ANY one or more of the owners of sedtions in the buildings may, if the managing agent is in breach of the provisions of his contract or if he is guilty of any conduct which at common law would justify the termination of a contract between master and servant, requ,ire the trustees to cancel the hanaging agent's contract in terms of the provisions referred to in 46.2.1. above. THE /

## Original Page 30

- 20 THE appointment of a managing agent shall be revoked and such managing agent shall cease to hold office if -I

47. 48.

49. I

49.2 50. 47.1 47.2 47.3

where the managing agent is a company, an order is made for its provisional or final liquidation, or where the managing agent is a natural person, he surrenders his estate as insolvent or his estate is sequestrated; or the managing agent is convicted of an offence involving fraud or dishonesty; or, where the managing agent is a company, any of its directors is convicted of an offence involving fraud or dishonesty; or a special resolution of the members of the body cor-porate is passed to that effect; provided that in such event the managing agent so removed from office shall not be dprived of any right he may have to claim compensation or damages for breach of contract. THE managing agent shall keep full records of his administration and shall report to the body corporate and to all holders of registered sectional mortgage bonds all matters which in his opinion detrimentally affect the value or amenity of the common property and any of the section. THE Trustees shall give reasonable prior notice to the managing agent of all meetings of the trustees and the managing agent shall be entitled to be present thereat. The trustees shall from time to time furnish to the managing agent and any registered first mortgage of 25% or mor of the units copies of the minutes of ail meetings of the trustees and of the body corporate.

**/ SUBJECT .....,.....**

# Original Page 31

50. SUBJECT to the provisions of rule 47, and with effect from the date when these rules .come into force, is hereby as the first managing agent to act in accordance with these rules at a remuneration of R per month for the period terminating on

## MEETINGS OF OWNERS : GENERAL MEETINGS:

### When to be held:

51. 52. 53. 54.

I THE first annual general' meetings of owners shall be held within three months of the date on which the body corporate comes into being as contemplated in section 28(1) of the Act. SUBSEQUENT general meetings shall be held once in every year provided that not more than fifteen months shall elapse between the date of one annual general meeting and that of the next. ALL general meetings other than the annual general meeting shall be called extraordinary general meetings. THE trustees may, whenever they think fit, and shall, upon a request in writing made by owners entitled to twenty-five per centum of the total of the quotas of all the sections, convene an extraordinary general meeting. If the trustees fail to call a meeting so requested within fourteen days of the request, the owners conceined shall be entitled themselves to call the meeting.

## NOTICE OF GENERAL MEETINGS:

55. I AT least fourteen daysl notice of every general meetihg specifying the place, within the magisterial district of PRETORIA, the date and the hour of the meeting, and in the Case of special business, the general nature of such business shall/

## Original Page 32

shall be given -

55. 1.1.

55.1.2.

55. 1.3.

to all owners;

to all holders of registered sectional mortgage bonds who have advised the body corporate of their interests; and to the managing agent.

55.2 55.

3

55.4 55.5 55.6

THE holders of registered sectional mortgage bonds and the managing agent referred to in rule 55.1 shall have the right to attend the meetings herein referred to and to speak at such meetings, but shall not, in their respective capacities as such, be entitled to vote thereat. THE notice referred to in rule 55.1.1. shall be deemed to have been sufficiently given and delivered if delivered in accordance with rule 39,2. THE notice referred to in rule 55.1 shall be accompanied by the documents referred to in rule 39. I. INADVERTENT ornission to give the notice referred to in rule

55. I hereof to any person entitled to such notice or the non-receipt of such notice by such person shall .not invalidate any proceedings at any such meeting, other than those referred to 55.1.2. A general meeting of the body corporate may be called on shorter notice than that specified in rule 55.1 hereof, provided it is so agreed by all persons entitled to attend.

### PROCEEDINGS AT GENERAL MEETINGS : ORDINARY AND SPECIAL BUSINESS

56. ALL business at any general meeting other than business 57.4. and 57.5 referred to in rule 57.1, 57.2. , 57.3. , shall be special business.

### ANNUAL /

# Original Page 33

## ANNUAL GENERAL MEETING

57. THE following business shall be transacted at an annual general meeting -

57. 57. 57. 57. 57.

57-

## QUORUM:

I

2. 3 4 5 6 the election of trustees; the consideration of the financial statement and report referred to in rules 37 and 38; the approval with or without amendment of -57.3. I the schedules of replacement values referred to in rule 29.1.3.; and 57.3.2. the estimate of income and expenditure referred to in rule .36, the appointment of an auditor; to approve the remuneration of the auditor, or the determination of the manner in which that remuneration is to be made. any special business of which due notice has been given in terms of rule 55.

58. I

58. 2

59. NO business shall be transacted at any general meeting unless a quorum of persons is present in person or by proxy at the time when the meeting proceeds to business. A quorum at a general meeting shall be one half of the number of owners present in person or by proxy and entitled to vote. IF within half-an-hour from time appointed for a general meeting a quorum is not present, the meeting shall stand adjourned to the same day in the next week at the same place and time, and if at the adjourned rieeting a quorum is not present within balf-an-hour of the time appointed for the meeti ng , entitled

CHAIRMAN the Vöwners present in person or by proxy and to vote shall be a quort-m.

# Original Page 34

## CHAIRMAN:

60. 1

60.2 THE Chairman, if any, of the trustees shall preside as chairman at every general meeting of the body corporate, unless otherwise resolved by members of the body corporate at such meeting. IF there is no such chai man, or if at any meeting the chaiman of the trustees is not present Within fifteen minutes after the time appointed for the holding of the meeting, or if he is unwilling to act as chairman, the members present shall elect one of their number to be chai rman.

## VOT\NG AT GENERAL MEETINGS:

## POLLS:

61.1 61. 61. 62.

2 3 AT any general meeting a resolution put to the vote of the meeting shall. be decided on a show of hands unless, either prior to or on the declaration by the chaiman of the result of the show of hands, a poll is demanded by any person en-titled to vote at such meeting. UNLESS a poll be so demanded a declaration by the chairman that a resolution has on the show of hands been carried shall .be conclusive evidence of that fact without proof of the nÜmber of proportion of votes recorded in favour of or against such resolution. A demand for a Pöll may be withdrawn. if demande, shall be taken in such a manner as the A poll, chairman thinks fit, and the result of the poll shall be deemed to be the resolution of the meeting at which such poll was delanded. VOTES .

# Original Page 35

## VOTES:

63. 64.

NO

65. ON a show of hands the owner or owners of a section or if the owner is a juristic person, its proxy, shall have one vote in respect of the ownership of each section registered in his name. FOR the purpose of a special resolution (with or without a poll) or on a poll, the value of the vote of the owner or owners of a section shall be propor-tionate to the participation quota of each owner.

VOTE IN CERTAIN CIRCUMSTANCES: EXCEPT in cases where a special resolution or a unani-mous resolution is requi red under the Act, an owner shall not be entitled to vote at any general meeting

65. 1

65.2

## VOTING /

any contributions payable by him in respect of his section and his undivided share in the comrnon property have not been duly paid; or he is in breach of the rules or any of the house rules referred to in section 26.3 after a written warning by the trustees to refrain from breaching such rules or house rules.

# Original Page 36

## VOTING BY TRUSTEE FOR BENEFICIARY:

66. WHERE an owner of a section is as such a trustee for a beneficiary, he shall exercise the voting rights in respect of the section to the exclusion of persons beneficially interested in the trust and such persons shall not be entitled to vote.

## d01NT VOTERS:

67. I WHEN two or more persons are entitled to exercise one vote jointly, that vote shall be exercised only by a person (whom may or may not be one of them) jointly appointed by them as their proxy.

67.2 NOTWITHSTANDING rule 67.1 where two or more persons are entitled to exeVcise one vpte jointly, any one of them may demand a boll.

## PROXIES:

68. 68.

I 2 VOJES at a general meeting may. be cast either personally or.by proxy, whether on a poll or on a show of hands. AN instrument appointing a proxy shall be in writing under the hand of the appointer or his agent duly appointéd in writing and shall be deposited at the domicilium of the body corporate not less than 48 hours before the time for the holding of the meeting at which the person named in the instrument proposes to vote, and in default of compl iance herewith the instrument of proxy shall not be treated as valid. Provided that the aforegoing shall not apply in the case of any proxy created and contained in any registered mortgage bond if such mortgage bond is produced at the meeting. /68.3

## Original Page 37

68.3 A proxy need not be an owner.

68.4 A resolution in writing signed by all owners shall be as valid and effectual as if a unanimous resolution had been passed at a general meeting.

### DUTIES OF OWNERS AND OCCUPIERS OF SECTIONS:

### STATUTORY AND GENERAL:

69. IN addition to his obligations in terms of section 32 of the Act, an owner -

69. 1

69. 2

69. 3

69. 4 shall not use his section or permit it to be used in such a manner or for such purpose as shall be in-jurious to the reputation of the building. shall not contravene or permit the contravention of any law, by-law, ordinance, pFocIamation, statutory regulation, or the conditions of any licence relating to or affecting the oCcupation of the bui Iding or the carrying on of business in the building or the con-ditions of title applicable to his section or any other section. shall not make alterations to his section which are likely to impair the stability of the buildings or the amenity of other sections or the comon property. shall keep his section free of white ants, borer, and other wood destroying insects and to this end shall permit the trustees, the managing agent, and their duly authorised agents or employees, to enter upon his section once in every calendar year for the pur-pose of inspecting the section and taking such action as may reasonably necessary to eradicate any such pests. The costs of the inspection and' of eradicating any such pests as may be found within the section shall be paid for by the owner of such section. In the event of it being found necessary to replace any woodwork or other material forming part of such section which / may

# Original Page 38

69.5 may be damaged by any such pests and cost of such replacement shall be borne by the owner of the section concerned. shall upon renting out his section be compel led to include the' provisions of Schedule II and any additional house rules as part of his lease agreement.

## BINDING NATURE:

70. THE provisions of the rules and of the house rules and the duties of the owner in relation to the use and occupation of sections and corm-ton property shall be binding on the owner of any section, and any lessee or other occupant of any section, and it shall be the duty of the owner to ensure compliance with the rules by any lessee occupant, including servants, güests and any member of the family of the owner, lessee or occupant.

## OWNER'S FAILURE TO MAINTAIN:

71. IF an owner -

75.1 fails to repair or maintain his section in a state of good repair as required by section 32(c) of the Act; or

75.2 fai Is to maintain adequately any area of the comon property al located for his. exclusive use and enjoyment and such failures persists for a period of one month after the giving of written notice to repair or maintain given by the trustees or the managing agent, the body corporate shall be entitled to rgned} the owner'S failure and to recover the reasonable cost of doing so from such owner.

## DEN AREAS:

72.1 NOTUI NG the fact that the garden areas, more fully described below, ar , terms of the sectional plan re-lating to the section-al title, s s filed with the Registrar of Deeds part of the common prope e owner subject to of each unit comprised in the scheme shall,

## Original Page 39

s ex -rules 2. , 3. , 4. , and 5. , below, be entitled to the usive use, occupation and enjoyment, to the exclusion rights of all other owners and all other persons,

72. 2

72.3 72.4 72.5

of the area numbered and corresponding to the number off his section ross-hatched on the plan annexed hereto and abutting on his s tion as defined in his certificate of registered title, to e used by him as a private garden and for recrea-tional pur es, which areas are hereinafter referred to as "the garde areas". THE body corpora shall take all. necessary steps in its power to ensure th t the garden areas shall be reserved for the exclusive use o the owners entitled to such use in terms of sub-rule 72. I. AN owner shall be oblig d to maintain the garden area of which he has the exclusive use s if it were part of his section and shall be obliged to ta e all reasonable and necessary steps to keep such area in clain, hygienic, neat and attractive condition. AN owner shall not use his:gard area or permit it to be used in such a manner or for such urposes as are likely to impair the safety, appearante o amenity of other sections or other parts of the como property. NOTWITHSTANDING the provisions of sub- ule 72.1 above, an owner shall permit the body corporate an or other owners access across his garden area for any purp se reasonably required for the maintenance of the garden eas of such other owners. Each owner shall also allow th body corporate access to and across his garden area

72.5.1 for any purpose reasonably required fort main-tenance of the common property; and

72.5.2 for the purpose of implementing the provision of rule 71 should the body corporate so require.

## Original Page 40

73.1 13 *

EXCLUSIVE USE AREAS NOTWITHSTANDING the fact that the oth-e-rx areas Of excl us ive use for whatever purpose or purposes (all of which are hereinafter collectively referred to as the "at-her excl usive use areas" ) more fully described below, are, in terms of the sectiönal plan relating to the sectional title scheme as filed with the Registrar part of the common property, the owner of each unit comprised in the scheme shall, subject to subru)es (2), and (5) below, be entitled to the excl usion of the rights of all other owners and all other persons, of the area allocated to him and corresponding to the number of his section.

73.2 The body corporate shall take all necessary Steps in its power to ensure that the -other exclusive use area shall be reserved for the exclusive use of the owners entitled to such use in temns of subrule

73.3 An owner shall be obliged to maintain the e-the-r exclusive use areas of 4

73.5 which he has the exclusive use as if they were part of his section and shall be obliged to take all reasonable and necessary steps to keep them in a clean, hygienic, neat and attractive condition. An owner shall not use his .-e#ev excl us ive use areas or permit them to be used in such a manner or for such purposes as are likely to impair the safety, appearance or amenity of other sections or other parts of the common property. Notwithstanding the- provisions of subrule (1) above an owner shall permit the body corporate art',Or other persons access to his excl us ive use areas for any purpose reasonably required for the maintenance of the other exclusive use areas of such other owners. Each owner shall also al the body corporate access to and across his other exclusive use areas (a) for any purpose reasonably required for the maintenance of the . common property; and (b) for the purpose Of implementing the provisions of rule 71 should the body corporate so require. /74 .

## Original Page 41

74. SAVE where the unit concerned is let; owners may not let othe+. exclusive use areas allocated to them in terms of rule 73 without the written consent of the trustees, which consent shall not be unreasonably withheld.

### EXPROPRIATION:

75.1 75.

2

75. 3

75. 4 IF at any time the whole or any part of or any rights in the common property are expropriated , each .of the owners shall be deemed to have appointed the trustees as his duly authorised agents and representatives -75.1.1. 75.1.2 to negotiate and settle the compensation payable to him and to that end, to employ attorneys, advocates and experts; and on his behalf to receive and give valid acquittance for any compensation moneys paid. ANY compensation rnoneys received by the trustees on behalf of the owners in terms of sub-rule 15.1 shall be paid to the ownerS in accordance with their participation quotas unl ess any owner notifies the trustees before such moneys are so distributed that he considers such a distribution would be inequitable in which event they shall bé distributed either

752.1 in accordance With a scheme approved by unanimous resol ution; or

75.2.2 in accordance with a scheme approved by the arbitrator. FOR the purpose of this rule, the "Arbitrator." means a practising .senior advocate at the Pretoria Bar who is nominated by the trustees. The trustees shall be obl iged.td nominate the Arbitrator within three weeks of being called upon to do so by any owner.

### IF THE WHOLE OR ANY PART OF OR ANY RIGHTS IN THE COMMON PROPERTY

### ARE EXPROPRIATED, ANY OWNER NAY REFER THE FORMULATION OF A

### SCHEME AS CONTEMPLATED IN SUB-RULE 75.2 TO ARBITRATION IN TERMS

### OF THE ARBITRATION ACT, SUBJECT TO THE PROVISIONS OF THIS

## Original Page 42

75.5 this rule.

IN forfiulating a scheme as contemplated in sub-rule

75.2 the owners and the arbitrator shall have due regard to the quantum of damages suffered by each owner as a result, of the expropriation and if the exclusive rights of any particular owner or owners to use the comon property have been affected by the expropriation the scheme should, if reasonably practicable, provide for the allocation to such owner or owners of the exclusive use Of another part of the cormon property for the same purpose.

## Original Page 43

INDEX

**SCHEDULE 11**

**PRELIMINARY**

**INTERPRETATION USER**

**IMPROVEMENTS ON OR TO C%ON PROPERTY**

**ADDITIONAL PROVISIONS FOR THE CONTROL**

**AND MANAGEMENT OF THE BUILDINGS,**

**THE SECTIONS AND THE COHN PROPERTY PAGE 1 PAGE 1 PAGE 2 PAGE 2 PAGE 2,**

# Original Page 44

I hereby certify that these are the rules for inclusion in Schedule II (Section 27(2)(a)(ii) which were duly submitted to an extraordinary general neeting of the body corporate known as Ilthe Con. o ng Body of "BESWILLII and adopted by a special esolution of the members thereof in s bs n for the rules contained in Schedule II as s mitted to the Registrar of Deeds in terms of on 5(3 f) of the Sectional Titles Act No 66 se of 19 1.

## CHAIRMAN OF THE MEETING Date: . .

## RULES FOR THE CONTROL AND MANAGEMENT OF THE BUILDING KNOWN

## AS "BE-SWILL"

## ERF NO 832 PRETORIA GARDENS

## ON WHICH THE BUILDING IS SITUATED..

## SCHEDULE

## (SECTION 27 OF THE SECTIONAL Tl

## PRELIMINARY:

THE Rules contained in this schedule

## GEREGISTREER HIERDIE

REGISTERED THIS-%: S Aktekanioor Deeds Office van Akte$ f Deeds 1971 ) shall not be added to, amended or repealed except in accordance with section 27 (2) (a)(ii) of the Sectional Titles Act, 1971, and subject to the provisions of section 27(2)(c) of the Act.

## INTERPRETATION:

2. IN the interpretation of these rules, unless the context other-wise indicates

2.1 2

2. 2.

3 4 "Act" means- the Sectional Titles Act 197t (Act 66 of 1971') as amended from time to time and any regulations made and in force thereunder. words and expressions used shall bear the meanings as signed to them in the Act. ntrustee" includes an alternate trustee. words 2.4.1 2.4.2 importing -the singular number only shall include the plural, and the converse shall also apply; the masculine gender shall include the feminine and neuter genders and the neuter gender shall include the/

1

# Original Page 45

2.5

## USER:

3.1 3.2 6.1 6.2

the masculine and feminine genders. the headings to the respective rules are provided for con-venience of reference only and are not to be taken into account in the interpretation of the rules. When the purpose for which a section is intended to be used, is shown expressly or by necessary impl ication on or by the registered sectional plan, an owner shall not use or permit his sectional plan, an owner shall not use or permit his section to be used for any other purpose. AN owner shall not do or permit to be done in his section or on the comon property anything which will or may increase the rate of the premium payable by the body corporate on any insurance policy.

## IMPROVEMENTS ON OR TO THE COWON PROPERTY:

4. 5.

NO duty shall be placed upon any owner in regard to the provision of any improvement on or to the common property unless a proposal to make such improvement has been approved by a special resolution at a general meeting of owners of sections. THE trustees of the body corporate are special ly authorised to employ cleaners and gardeners to keep all portions of the common property in a proper state of cléanl iness and attractive-ness and the cost of such employment shall be and administra-tive expense chargeable to the fund established by the body corporate; provided, however, that nothing herein or eI sewhere contained shall be construed as obliging the trustees or the body corporate to maintain the interior of any section in a proper state of cleanliness, such maintenance of the interior of any section being the responsibility of each individual sectional owner who undertakes to keep the interior of his section in such proper state of cleanl iness and in a hygienic condition.

## ADDITIONAL PROVISIONS FOR THE CONTROL AND MANAGEMENT OF THE

BUILDINGS, THE SECTIONS AND THE COMMON PROPERTY Every owner shall exercise his rights and meet his obl igations in such a way as to ensure that at all times every reasonable requirement of the trustees to the tidiness, cleanliness neighbourl iness, silence, fire and general safety, the con-servation, repair and maintenance of the building(s) and the common property, the beautifying thét'éof, hygiene, sanitation, electricity and water usage, the keeping of animals, birds or other pets or any other matter or thing, shall be compl ied with and shall not use or pemit his section, the comon property or the unit to be used in such a way as to cause a nuisance to any occupant of a section, after notice in that behalf from the trustees. An owner shall not 6.2. l. cause/

## Original Page 46

6.2.1

6. 2.2 6. 6. 6. 6. 6.2. 2. 6.2. 6.2.

3 4 5 6

2.7 2.9

cause or permit any disorderly conduct Of what-soever nature in the unit or section or do or permit to be done any act, matter or thing in and about the same which may constitute or cause a nuisance or inconvenience to any other occupant of sections or units or to the servants or agents employed by the body corporate or to any other pergon lawful ly on the premises; use his section for any purpose which is injurious to the reputation of the building(s). keep, store or leave or al Iow to be kept, stores or left any' article or thing in any part of the common property except with the prior written consent of the trustees having been had and obtained. allow any possessions whatsoever or öubbish, debris, dirt or refuse to be left in the passages or other comon property or al Iow linen or clothing to be hung outside the unit except in the place specially designated therefor. Carpets and mats shall not be shaken or dusted or beaten over the balconies or through the windows. place or allow or cause to be placed any garbage or rubbish 'except in such place Or places speci#lly 'designated for the placing of garbage or rubbish either in the sectional plan or by the Trustees. use the parking area of the building for any purpose other than the parking or garaging of motor vehicles (but not boats, trailers or caravans) except with the prior written approval of the body corporate having been had and obtained. permit or allow any laundry or washing to be hung or draped out of, on or over any balcony or window of any section. store or harbour in the unit any goods which may vitiate any fire insurance held by the body corporate or increase the premium payable in respect of stich policy. place or allow to be placed in his section or any part thereof any air-conditioning equipment, without the pri.or written consent of the trustees who in giving such -consent may attach conditions as to size, colour, mäke, place of instal lation and removal thereof, which consent shall not be withheld unreasonably. 6-2.10 install or permit to be installed on the exterior walls or windows of any section any burglar proofing, blind sunshades, screen, louvre, awning, protective covering or appendage or any other installation or appliance without the prior written consent of the trustees who in granting such consent may specify complete detailed conditions in order to ensure uniformity and confor-mity /

## Original Page 47

6.2. 11 conformity with the other sections and the buildings. place or allow to be placed any advertising signs or notices in or upon any section or the comon property without the prior written consent of the trustees having been obtained. 7

8.1 8.

2

8.3 9.2 10.1

NO animal or pets shall be kept or harboured ih the unit unless expressly pernitted in writing by the trustees. In no event shall animals be permitted in any of the public portions of the- building(s) unless carried or cn a leash. Such permission may be withdrawn in writing by the trustees if any complaint is made to the body corporate by any other unit holder. THE owner may make alterations to the interior of the unit but no structural alterations or alterations to water connections electric conduits or plumbing may be effected without the prior written consent of the trustees having been had and obtained. AN owner may install or place in the unit at his own expense any interi6r improvements including any electri cal installa-tion operating on a single Phase supply, garbage disposal unit, underfloor heating, vacuum-cleaner connection, additions or fixtures such as lighting fixtures; cooking ranges, woodwork pannelling, cei lings, doors or decorations which can be removed without structural alterati0h or damage to the unit. It shall be the occupant Is responsibility to effect insurance in respect of the contents of the unit and to pay all insurance premiums in respect thereof. THE duly authorised agents of the body corporate or workmen shall be permitted to enter any of the units at any reasonable hour of the day in order to examine the same or to effect repairs thereto or to any part of the unit-IF the owner should not personally be present to open and permit such entry to the unit at any time when for any reason and entry therein shall be necessary or permissible then the duly authorised agent of the body corporate shall be entitled to enter the said unit without being liable to any claim or cause of action for damages by reason thereof, provided that during such entry such persons shall accord reasonable care to property in the section. THE owner shall at all times 'maintain the said unit in good, clean and habitable order and condition and shall be respon-sible for all interior öainting maintenance, inclusive of blockage of sewers and sanitary equipment and connections and repairs of whatsoever nature within the unit. / During

## Original Page 48

10.2 11. 12. 13. 14.

DURING such time as any rnoney is owing by the owner in respect of the unit to the body corporate the body cor-porate shall have the right to attend to any repairs or renovation of the unit or carry. out any obl igation of the owner as more fully set out above and shall there-upon have the right to recover the costs of such reno-vation or repairs from the owner. NOTWITHSTANDING anything to the contrary contained in any agreement or understanding between the body corporate and the owner of any unit no portion of the asset income, property or monies of . the body corporate shall any time be distributed to any owner by way of loan or refund of contributions, levies or income unless in respect of such levies or income overpaid in error-EVERY owner shall be bound by the interpretation or decision that the body corporate, acting through the trustees, may make from time to time in regard to any natter or thing referred to in these rules and such interpretation or decision shall be final and binding on each and every owner. UNLESS it appears otherwise from the context

13.1 reference to "the owner" shall include the occupier or tenant of any unit;

13.2 reference to "the trustee" shall include the body corporate vice. versa. WHENEVER the written consent of the-trustees is required in respect of any of the mafters referred to in 6.2.9, 6.2. IO,

6.2.11 and 8.1 by the owner of a unit whith is mortgaged, the trustees shall be entitled to withhold such consent until the written consent of the mortgagee of such unit is furnished by the owner to the trustees, provided, however, that where one or more sections between .them entitled to more than 40% of the total participation quotas in the scheme are mortgaged to a single mortgagee under First Mortgage bond, such mortgagee shall have the right of veto in respect of any proposed written consent by the trustees whether or not the section in respect of which consent of the trustees is required by the owner is mortgaged to such mortgagee.

## Original Page 49

séEL*Rh'...

### . STAMP OUT}?

39

### -AGSERUNS

### ÉRETORLA

KLAGSBRUNS Registrar's number of Sectionäl The Registrar Of Deeds ,

### PRETORIA

### NOTIFICATION

### IN TERMS OF SECTION

### TITLES ACT, 1971

### STEPHEN ALAN GRUPEL We

and SUSANNA LUCIA PURNELL 27 (2) (c) FEES E ION the undersigned trustees Of the Controlling Body Of the Btiilding or Buildings known as

BESWILL situate at Erf 832, Pretoria Gardens, Registration Division J. R , Transvaal hereby give notice that on the 29th day of OCTOBER 1981 the Controlling Body made the Rules annexed hereto in amend— ment to thé Rules adopted on the 29th December 1980 for the control and management Of the building Pages 31 to 33 in substitution of pages 31 to 32 Of the Rules contained in Schedule 1 as adopEed on 29th December 1980. The abovementioned rules have been made by unanimous reso— lution Of the

### PRETORIA 0001

### ADDRESS:

545 yanRJREKKFR

GE7TtL PRETORIA members of the Body Corporate. BQAD T ugt:ee

DATED at PRETORIA this 23rd day

1981.

### of NOVEMBER

# Original Page 50

## t GEREGISTREER HIERDIE

## REGISTERED

73.6 31 — The Body Corporate sha A ktekantoor De ds Office R.nstrateur van Aktes Registrar ot Deeds g o aspo of the seventeen (17) parking spaces as indicated on the copies of the sectional plans in the possession of Ehe Managing Agents, and which is in accordance with the unanimous resolution and consent of the members

73. 6. 73. 73. 73.6. 73.6. 6. 6.5

I 2 4 of the Body Corpor4te . The Managing Agent shall be authorised by the Body Corporate to maintain a schedule reflecting the name of the Purchaser of the exclusive use area, detailing the section number to which such exclusive use of such relevant parking space is linked, and on the understanding that it: shall not be competent for the Body Corporate to dis— pose of the exclusive use Of any such parking area to any person who is not a registered owner or purchaser of a section In the scheme. It shall not be competent for any member of the Body corporate to deal with such exclusive use arca by either letting or disposing of same €0 any third party who' is not a member of the Body corporate . It Is especially recorded that no special levy or charges are payable in respect Of the use by any purchaser of such exclusive use area so purchased in accordance with these provisions All consideration receivable in respect of the disposal of such exclusive use areas shall endure forthe benefit of the Body Corporate. 'The use and enjoyment of such exclusive use areas is subject to the conditions and stipu— Iatlons as are contained in these rules as well as the schedule 2 rules and house rules , established in respect' of the scheme .

# Original Page 51

74, SAVE where the unit concerned Is let, owners may not let other exclusive use areas allocated to them in terms of rule 73 without the written consent of the trustees , which consent shall not be unreasonably withhe ld.

## EXPROPRIATION :

75,

75.1 IF at any time the whole or any part of or any rights in the common property are expropriated, each of the 33 — /

owners as his 75.1.1 75.1.2 shall be deemed to have appointed the trustees duly authorised agents and representativeg — to negotiate and settle the compensation payable to him and to that end, to employ attor— neys, advocates and experts; an d on his behalf to receive and give valid acquittance Eor any compensation moneys paid. 2 ANY compensation moneys received by the trustees on behalf Of the owners in terms Of sub—rule 75. I shall be paid to the owners in accordance With their participation quotaS unless any owner notifies the trustees before such moneys are so distributed that he in

75. 75.

considers such a distribution would be inequitable which event they shall be distributed either

2.1 2.2

In accordance with a scheme approved by unanimous resolution; or in accordance with a scheme approved by the arbitrator.

## Original Page 52

75. 3

75.4 75.5

FOR the purpose of this rule; the "Arbitrator" means a practising senior advocate at the pre— toria Bar who ig nominated by the trustees. The trustees shall be obliged to nominate the Arbitrator within three weeks of being called upon to do so by any owner. If the whole or any payt of or any rights in the common property are expropriated r any ow— ner may refer the formulation Of : -a scheme as contemplated in sub—rule 75.2 Eo arbitration in terms Of the Arbitration Act, subject to the provisions Of this rule. in formulating a geheme as contemplated in sub—rule 75 2 the owners and the arbitrator shall have due regard. to the quantum of damages suffered by each owner as a result of the ex— propriation and if the exclusive rights Of any particular owner or owners to use the common property have been affected by the expropria— t.ion the scheme should, if reasonably prac— Eicable, provide for the allocation to such owner or owners of the exclusive use of another part of the common property for the same purpose.

## Original Page 53

**REGISTRATEUR SE NOMMER VAN DEELPLAN:**

**REGISTRATEUR VAN MTES**

**PRETORIA**

**KENNISGEWING KRAGTENS ARTIKEL 35(5)**

**VAN DIE DEELTITELWET, WET 95 VAN 1986 19135/92 ss 87/80 24 03/92**

**EN REGULASIE 300)**

ONS,

**JACO DE LANGE**

DAVID MALAN die ondergetekende Trustees van die Beheerliggaam van die gebou Of geboue bekend as BESWILL gelee te ERF 832 in die dorp PRETORIA GARDENS, Plaaslike Owerheid Stadsraad van Pretoria; gee hiermee kennis dat op 11 MAART 1992 die Beheerliggaam die volgende reéls (soos uiteengesit in die aangehegte Skedule) wat deur die Trustees geparafeer is vir identifikasiedoeleindes vir die beheer

**en bestuur van die gebou gemaak het:**

GEDRAGSREéLS TER AANVULLING VAN DIE BESTAANDE REELS Hierdie reels is gemaak deur spesiale resolusie van die Beheerliggaam.

**TRUSTEE**

**ADRES: BESWILL 120**

**ELSASTRAAT 295**

**PRETORIA TUINE 0082**

**ADRESBESWILL 114**

**ELSASTRAAT 295**

**PRETORIA TUINE 0082**

# Original Page 54

## SPESIALE REéLS BEPAAL VIR DIE REGSPERSOON BESWILL KRAGTENS

## ARTIREL

## SREDULE

1. 2. 3.

## SKEDULE

4. 4.1 4.2 4.3 4.4

35(2) (b) VAN DIE WET OP DEELTITELS 95 VAN 1986. 3 Die reöls vervat in hierdie Skedule 3, mag ui tgebrei, gewysig of herroep word deur 'n meerderheidsstem van die lede van die Regspersoon. All e ui tbreidings, wys igings of herroepings sal van toepass ing wees op alle Lede van die Regspersoon sodra as wat die besl iss ing gemaak word en voordat die wys igings betrokke by die Aktekantoor geregistreer is. Die woord "Regspersoon" in hierdie Reéls sluit in 'n verteenwoord i ger van die Regspersoon, ongeag Trustee lid of wie ookal aangestet is om as Bestuurder van die gebou en Gemeenslcapl ike Eiendom op te tree in ooreenstemming met Skedule 1. Ind i en die Regspersoon 'n ops igter aansteZ sal sy sat aris van tyt tot tyd deur die Raad van Trustees vasgestel word.

## 3 - REGSPERSOOMN BESWILL

MOTORVOERTUIE Voertuie eienaars motorhu ise van van en parkeerfasili teite, mag s Legs op sodgn i.ge areas geparke e r word soos voora f aangedu i is en/ of geregistreer is by die Akteskantoor. Parkeerplekke wat toegeken is can inwoners, mag s egs deur sodan ige persone gebruilc word. Indi en toestemming verleen i s deur hul lcuiergaste. Geen parker ing van voertute word voor motorhuise toegeZaat n i e. Onpadvaardige voertuie word nie in of op die pa.rkeerplekke toegelaat nie. Die hers tel en obbou. van voertuié word nie op die. Gemeenskapl ike Eiendom toegetaat nie. Voertuie mag s legs gewas word op dele van die GemeenskapZ ike Eiendom wat deur die Regspersoon vir daardie doe t aangewys word en voertuie mag met n tuinsZ ang gewas word mits geen waterbeperkingsmaatreél toegepas word nie. 'n Spoedbeperking van 5 km geld op die Gemeenskapl ike Ei endom. Regspersoon aanvar geen veran twoordel ikheid -ten opsigte van enige skade en/ of besering wat soU voortspruit uit die wartbestuur van enige voertuig op die Gemeenskapl ike Eiendom n i e.

## Original Page 55

5. 5.1 5.2 6. 6.1 6.2 6.3 7. 7.1 7.2

2

FIETSE EN VERWANTE ARTIKELS Fietse, motorfietse, dr i ewi e I e, skaatspl anke en rotskaatse mag nie op enige plek op die Gemeenskapl ike Eiendom of in rn eenheid gelaat word op 'n plek waar dit vir die publielc s igbaar is n i e. Dit geld 00k vir karavane en s I eepwaens. Addis i one I e motorvoertuie, karavane, bote ensovoorts mag teen 'n voorafbepaa Ide huurgeld op die parkeergebied suid van die "parJcgebi die Gemeenskapl ike E i endom parkeer op Parkeerfas iteite in die gebied sal op 'n voorgee basis toegeken word en die parkeergeld sal van tyd tot tyd deur die Raad van Trustees aangepas word na ge lang van omstandighede. Fietse moet gestoor word in die zoods wat vir hierdie doe I beskikbaar gestez is of al ternat i ewe lik in individuele motorhuise. Geen f.ietse mag in die hoofgebou ingeneem word n i e. Geen fietse mag tangs trappe gestoor word nie en geen fietsry word in die vierkant toegelaat n i e.

WASGOED Wasgoed mag s I egs ui tgehang hierdie doet aangewys is. Wasgoed wat uitgehang word om eienaars se risiko ui tgehang ander swaar items mag op die nie. Indi en nod ig sou b tyk, sal In die doe I aangebring word. word in areas wat vir droog te word is op die en geen groot matte of wasgoedlyn gehang word swaardienswasgoedtyn vir Wasgoed.mag nie in 'n eenheid- ui tgehang word op 'n plek waar dit Nir die algemene publ i ek of 'Dir ander inwoners sigbaar is nie.

VULLISVERWYDERINGSDIENSTE Vullis mag nie teens trydig met die Stadsraadregulasies hanteer word n i e. Gebreekte glas en glasbottels moet in die park in houers wat vir hierdie doe I daar geplaas is, geplaas word. Geen vutlis mag gelaat word op enige gedeelte van die Gemeenskapl ike Eiendom, byvoorbeeld in die gange of voor die woonsteldéure. waar dit sigbaar sou wees vanaf die Gemeenskapl t ke Ei endom n i e. Hi erdie reät geld ongeag die f eit of dit in r n houer is a! dan n i e. Vuli isdromme word voors ten vir hierdie doe l. Vutlis moet ten alle tye in die houers geplaas word en nie net op die VI oer van die vullisgebiedgegooi word n i e.

## Original Page 56

8. 8.1 8.2 8.3 9. 9.1 9.2 10. 10.1 10.2 11. 11.1 11.2

3

STILTE Stilte moet ten a Lle tye gehandhaaf word en spesifiek tussen 14:00 en 16:00 en 22:00 en 07:00 daagliks. Toeters van motors en motorfietse mag nie op die Gemeenskapl ike Eiendom gebruik word n i e. Die opjaag asook dié van moiorfietse van toere van motorenj ins, word op die Gemeenskapt ike Eiendom verbied. Radio 's, TV'S, mus iekinstrumente en platespelers mag s legs op so 'n wyse gebruik word, dat die klank nie Hierdie hoorbaar is in die aangrensende eenheid n i e. reäl geld 00k vir motorradiors en kassetspelers.

TUINMAAI< EN PLANTE Geen pl ante mag op die Gemeenskapl ike Ei endom deur Die t uin sal deur die inwoners gepl ant word n i e. Regspersoon self. versorg word, behalwe as spesifiek anders besluit word n f e. Plante op die Gemeenskapl .ike Ei.endorn mag onder geen omstandighede bäskad.ig, gesnoei of verwyder word sonder die toes temming van die Raad van Trustees n i e.

KINDERS Geen Spel ery word toegelaat in gebiede anders as wat spesifiek deur die Regspersoon vir hierdie doe I Spelery onder en in die onrniddetl ike aargewys is nie. omgewing van die wasgoed [yn is verbode. Inwoners moet toes ig oor hulle kinders en dié van hul Ie gas te hou om te verhoed dat skade aangerig word op die Gemeenskapl ike E i endom of dat in steurnis vir ander Spesifieke ptekke waar die inwoners veroorsaak word. in die braai— kinders nie mag speel nie is en tuinareas, stoepe en trappe. Kinders moet weerhou word om in gange op die Gemeenskapl ike Ei endom te hard loop en om met die posbusse op die Gemeenskapl ike Eiendom te peu ter.

ARTEVVITEITE OP DIE GEMEENSKAPLIKE EIENDOM Vteisbraai mag stegs in die parkgebied gehou word. Geen stokperdj i es mag beoefen word of en i ge ander aktiwi t eit mag plaasvind op die Gemeenskapl ike Eiendom sou dit . 'n steurnis vir ander inwoners veroorsaak n i e.

## Original Page 57

4

HUISHULP Inwoners moet toesien dat hutte arbeiders nie onnodige I awaai veroorsaak of ronddrentel op die Gemeenskapl ike -l

12. 12.1 13. 13.1 13.3 14. 14.1 14.2

.14. 3

15. 15.1

16

16.1 Eiendom nie.

DIVERSE REéLINGS Sigare t s t omp i es en ander voorwerpe mag nie by vensters uit of van die balkonne gegooi word nie. Tuingebi ede moet te alle tye netjies gehou word. die VI ambare Of ander gevaarl ike materiaal en/ of voorwerpe mag nie op die Gemeenskapl ike Eiendom gebring word n i e. Geen vull i shouers van die Gemeenskapl ike E i endom mag in die motorhuise geplaas word n i e. Motorhuise mag nie as 'n stoorplek gebruik word nie en s legs motorvoertuie mag in motorhuise gestoor of parkeer word.

TROETELDIERE Geen inwoner mag 'n hond van en i ge soort in hul I e eenhetd huisves n i e. 'n Uitsondering op hierdie reäl sal gemaak word ten opsigte van honde wat deur bl indes gebruik word. Honde van besoekers word toegeZ aat gp voorwaardé dat hulle aan 'n leiriem gehou word op die Gemeenskapl ike Eiendom. Voäls, word toegelaat op voorwaarde dat dit nie 'n steurnis vir ander inwoners veroorsaalc n i e. Geen kat te word op die Gemeenskapl ike Eiendom toegelaat

KUIERGASTE Inwoners is verantwoordeltk vir die gedrag van hulle ku iergaste en moet toes i en dat alle Reéls gehoorsaam word . Indi en ku i ergaste langer as In maand in 'n eenheid op die GemeenskapZ ike E i endom gehuisves word, moet vooraf skriftelik toes temming van die Raad van Trus tees verkry word.

BESIGHEIDSAKTIWITEITE beroep of ambag mag 6f op die Geen bes i ghe i d, Gemeenskapt i ke Ei endom, of in 'n eenheid of ih in mo torhuis op die Gemeenskapl ike Ei endom bedryf word

## Original Page 58

16.2 16.3 17. 17.1 17.2 18. 18.1 19. 19.1 20. 20.1 21. 21.1

5 Geen venduS i e o f romme verkop i ng mag op die Gemeenskapl ike Eiendom of in 'n eenheid gehou word nie. Geen advertensie of pub t isiteitsmateriaal mag uitgestal of in die gebou versprei word nie.

BUITEAANSIG Geen lugreälaars, TV-an tennas I ugdrade mag gernstalleer word op so 'n wyse dat dit sigbaar is van butte n i e, Indi en so 'n instal Iasi e oorweeg sou word, moet vooraf skriftelik by die Raad van Trustees aansoek gedoen word. Geen sol i ede staathekke mag gefnstal leer word n i e. Geen vers i er ings mag a angebr i ng word op die Gemeenskapl i ke Ei endom ni e . Geen Gemeenskapl i ke Eiendom mag geverf of op enige man i er behandel word, behaZwe waar spesifieke toes temming van die Raad van Trus tees verkry is, wie dan 00k sal aandui wat die voorwaardes is be treffende die wyse waarop ui tgevoer moet word n i e.

POSBUSSE Eni ge skade aan die posbusse moet hers tel koste van die eienaar van sodanige posbus.

VUURWAPENS EN VERWANTE ITEMS die werk word op Geen vuurwapens, ktappers of enige vervante items en/ of rekkers ensovoorts mag op die Gemeenskapl ike E i endom gevuur word of geaktiveer word nie.

VERHURING VAN EENHEDE Eienaars van eenhede wat hul eenhede verhuur moet ten at Le tye verselcer dat hul huurders en hul gas te die Huisreéls van die Regspersoon ten alle tye streng en nougeset nakom.

PLAAGBEHEER Elke eienaar/ inwoner word veran twoordel ik gehou vir plaagbeheer in sy betrokke eenheid en die Raad van Trustees behou homself die reg voor om ter eniger tyd enige eenheid te inspekteer en indien dit nod ig gevind sou word om sodanige eenheid, op koste van die eienaar, deur hetsy die Raad van Trustees self of deur 'n kontrakteur te Zaat on t smet teen peste soos kokkerotte, .luise en dies meer.

## Original Page 59

22. 22.1 a) b) 23. 23.1 24. 24.1

6

BEPERKING op BEWARING VAN EENHEDE Die maksimum aantal persone wat f n eenheid mag bewoon, is soos voig. Eenmanswoonstel: Twee volwassenes en een kind Een—en— 'n—half s laapkamerwoonstel: Twee wolwassenes en twee kinders Indi en daar 'n u it sonder ing op bogenoernde reél gemaak wo rd, moet rn aansoek in skrif aan die Raad van Trustees gebring word. Normal e aanwas word u itgesluit in terme van hierdie Reél.

RIOLERING leder en elke bewoner is verantwoordel ik vir die skoon en vry hou van die r iol eringspype op en in Gemeenskapt ike Eiendom.

ELEKTRIESE OF ANDER TOERVSTiNG Geen persoon mag onder geen oms tand ighede eleictriese of en i ge ander toe rust ing Gemeenskapl ike E i endom peuter n i e. met op die die die

## Original Page 60

DUTY FEC /..8/u„CD I *pplitatimr ltnöet Sectimt 5(1) of' thc Sectional *ct, 1971 I/'We, the undersigned,

HYMIE TUCKER as the duly authorised representative of

TWO NINE FIVE INVESTMENTS (PROPRIETARY) LIMITED NO. 5816/79 (name of developer(s)), hereby apply to the Registrar of Deeds/Rand Townships RegiStrar, for— the opening of a sectional title register in terms of the provisions of section 8 (l)(b) of the Se:tional Titles Act, 1971. and the registration of the attached sectional plan in terms of the provisions of section 8 (I of that Act, in respect of the land and building known as

"BESWILLL' situate at ERF 832, PRETORIA GARDENS, Registration Division J.R., Transvaal ; and held under title deed No. Tl 1256/1980 and dated 11th March 1980;

2. the issue of certificates of registered sectional title in terms of the provisions of section 8 (2)

(d) of the aforesaid Act in respect of the sections Shown on the said sectional plan. Signed at

JOHANNESBURG this 9th day of JULY 19 80. Signature of developer(s) Representati ve

## Original Page 61

G.P.S. (M-L)

J 700

### NOTAS VAN ONDERSOEKERS EXAMINERS' NOTES -72. s-

# Original Page 62

## RESPROP

EIENDOMME BK/ ESTATES CC HN Wapadrand & Lynnwoodweg I Road Wapadrand Besigheidsentrum I Business Centre Blok 1 Block A Nr 11 el (012) 807 0523 Fax 0866117575 Verwysing: Annö-Marie De Wet du Plessis Prokureurs Nicholas Muller Posbus 7356

PRETORIA 0001 Posbus 59 Wapadrand 0050 082 444 5818 (Ronnie) E-mail resprop@mweb.co.za 15 November 2005 I

INSAKE: BESWILLf REGISTRASiE VAN HUISREÉLS Ons Sktyf aan u in opdrag van die Raad van Trastees van Beswill Regspersoon. Ingeslote hierby is die huisreöls van bogenoemde kompleks in Afrikaans. Dit sal waardeer word indien u kan reé! dat die reéls by die Aktekantoor geregistreer word. U. rekening kan gerig word aan die Regspersoon by Res rop Eiendomme. Baie dankie. HCS Ribbens

## BESTUURSAGENT 72

## ARTEKANTOOR 2005 -il- 29 DEEDS =

# Original Page 63

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**REGISTRATEUR SE NOMMER VAN DEET-PLAN**

**DIE REGISTRATEUR VAN AKTES**

. PRETORIA ss 8718b*

**KENNISGEWING INGEVOLGE ARTIKEL 35(5) EN REGULASIE 30(3) VAN DE op ONS,**

**ZACHARIAS STEPHANUS DE BEER**

MARIA DORATHEA TERBL,ANCHE die ondergetekende Trustees van die Regspersoon van die geSou of geboue bekend as BFSWLL gelee te ERF 832 i.n die dorp PRE„

TORTA GARDENS, Owerhcid STADSRAAD VAN ox'", gee hiesy die P.egspersoe,n op F ebru:rie die volgende reé2s, wat deur die Trustees vir identifikasje gepara-feet is, vir die beheet en bestuur van die gebcx.l gernaak het

**GEDRAGSREäLS TOT. AANVULLV VAN DTE BESTAANDE, REELS TEE**

J)

**TRUSTEE ADRE5;**

**ADRES:**

**BESWLL WOONSTELLE**

**ELSASTRAAT 295**

**PRETORIA TUINE 0082**

**BESVILL WOONSTELLE**

**EL SASTRAAT' 295**

**PRETORIA TUINE 0082**

**AKTEKANTOOR 2005 -ll- 29**

**DEEDS OFFICE**

# Original Page 64

Mar—ina van der Merwe +27 12 808-0674

## BEPAAL VER DIE RECSPERSOON BESWILL KRAGTENS ARTIKEL 27(2). (c)

nt*-+TDEELTITELWET YAN 1971. Die reäls yervat hierdie skedule 3, mag gewysi9 of herroep word deur h meerderheidsstem van die lede van die Regspersoon. Alle ui Zbreidings, wysigings of herroepings sal van toepassing wees op alle lede van die Regspersoon sodra as wat die beslissing gemaak is en voordat die wysigings betrokke by die Aktekantoor geregistreer is. Die woord "Regspersoon" in hierdie reéls sluit in vérteenwoordiger van die a I dan nie a:.naestel van die gebou en gemeenskaplike eiendom op te tree in ooreensterrafng met Skedul e-Indien die Regspersoon opsigter aanstel sal sy salaris van tyd tot tyd

3. deur die Raad van Trustees vasgestel word.

## SKEDULE 3 - REGSPERSOON BZSRILL

## MOTORVOERTUI E

4.1 4.2 4.3 4.4

Voertuie van eienaars van rnotorhuise. en parkeerpl ekkes mg s) egs op sodanige areas geparkeer wo+d. Parkeerpl ekke wat toegeken is aan in-woners, mag s legs deer sodznige pet-sore gebruik c %estenrning verieen deur kuiergaste. Geen parkering word voor die moor-huise toegelaet nie. Onpadwaardige voertuie word 00k n {e in die pa rkeer-p lekke toegelaat nie. Die hersEe1 en opbou van voertuie word nie op die eiendom nie. Voertuie mag slegs gewas word op deie van die gemeenskaplike eiendom wat deur die Regspersoon vir daardie doel aangewys word. h Spoedbeperking van 10 km geld op die gerreenskapl ike eiendom. Indieh h besering opgedoen of skade aangerig oorskryding van hierdie Re?l , die Regspersoon geen verantwoordel ikheid daarvoor aan-vaar nie.

## FIETSE ENSOVOORTS

3.1 Fietse, motorfietse, driewiele en rolskaatse mag nie op enige plek op die gemeenskapl ike eiendom of in eenheid gelaat word op n plek waar dit vir die publ iek sigbaar is nie. Dit geld 00k vir karavaae en Sleepwaens.

5.2 Fi etse moet gestoor word in die IOOd5 wat vir hierdie doe7 beskikbaar is, of in die notorhuise. Geen fietse mag in die hoofgeboü ingeneem word nie.

## S. WASGOEO

6. t Wasgoed mag slegs Uftgehang word in areas wat vir hierdfe doe7 langewys is.

6.2 Uasgoed wat uitgehang wor4 otn droog te word is op die eienaar se risiko. ThiS— Oliiø 21 05/9 Van

# Original Page 65

.00 Ut: 05 Marina Van der Merue +É7 12 808-0674

7. 8. 9.

6.3 Wasgoed mag nie in die eenheid uitgehang word op h plek waar dit vir die algemene publ iek of vir ander inwoners sigbaar is nie. ENSTE

7.1 Vullis mag nie teenstrydig tæt die Stadsraadregulasies hanteet- word nie.. Gebreekte glas en gl asbottels moet gepi aas word in houers in die park wat vir hierdie doel verskaf word. Geen lis mag gelaat word op enige gedeelte van die gemeenskapTike eiendorn., bv. in die gange of voor die woonsteldeure waar dit sigbaar sou wees vanaf die gemeenskapl ike .eiendom nie. Hierdie reEl geld onge-ag die feit of dit in houer is a 1 dan nie. Vull isdromme word voorsien vir hierd.ie doel.

## STILTE

8.1 Algehele stilte moet gehandhaaf word tussen 14hOO (2.00nm) en 16hOO (4.00nm) en tusser 10.00nra en 7hOO (7.00 vm)-

3.2 Toeters van motors en rmtorfie.tse rrzg nie op die getreenskaplike eiendom gebruik word nie-Die opdaag van toere van motorenjins, asook dié van motorfietse word op- Aie gemeenskaplike eiendom verbied.

8.3 Radios, TV is. masiekinstrumette en p7atespelers mag s legs op 50 h Wyse gebruik word, dat die k lank nie hoorbaar is in die aangrensende eenheid nie. Hierdie reäl geld bok vir motorradios en kassetspelers.

## TUINM.AAK EN PLANTE IÖ

9.1 N Geen plante mag op die gemeenska like efendom deur inwoners geplant word rpie. Die tuin sal deur Re egspersoon se versorg word, behalwe as spesifiek anders besluit word.

9.2 Die beskadiging van plante is -nie toelaatbaar nie. 10, NDERS

10.1 Geen spelery word toegelaat op areas anders as wat spesifiek deur die Regspersoon Vir hierdfe doe 1 aangewys is nie- Dit is die parkgebied agter die braaiplek, sweaie en omgewing.

10.2 inwoners tnoe± toesig oor hulle .kinders en dié van hulle gaste hov oti te verhoed dat skade aangerig word op die ganeenskarfl ike eietldom of dat h steurnis vir ander inwoners veroorsaak word. Spesifieke plekke waar die kinders nie mag spee) nie is in die braai- en tuinareas, gange en trappe. Met die posbusse mag 00k hie gespeel word nier

## AKTiWITEITE op DIE GEMEENSKAPLIKE EIENDOM

11.1 Braai vleis mag s legs gehou word in die area wat voors.ien is daarvoor.

11.2 Geen stokperdjies mag beoefen word of enige ander .aktiwi teit may piaas-vind cp die gemeenskäplike eiendom indien dit .steurni5 Vir ander in-woners sal vees of onnodige lawaai veroorsaak.

# Original Page 66

12. 13. 4.

## BEDiENÖES

12.1 Inwoners met toesien dat huile bediendes nie onnodige 1 anal veroor-saak of ronddrentel op die gemeenskapl ike eiendom nie.

## DI VERSC REEL INGS

13.1 Sigaretstompié$ en ander voorverpe mag nie by die yensters uit of die. bal konne afgegooi word nie.. E. 2 Tuinareas met a I Ie tya nétjies gehou word.

13.3 Vlambare of ander gevaarlfke materiaal of voomerpe mag nie op die gemeenskaplike eiendom gebring word nie.

## TROETELDIERE

14.2 14.3

Geen fnwoner mag hond van enige soort in hune eenheid aa.nhou nie., h Uitsondering op hierdie reél word gemaak wat betref honde wat deur

b) indes gebruik ward. Honde van besoekers word toegelaat op voorpnarde dat hulie aan h leiriem-is en onder toesig. Vo?ls, witruuise en hamsters word toegeiaat op voorwaarde dat hulle steurnis vir ander dnwoners is nie. Slégs een kit per woonstel word toegelaat, op voorwaarde dat die kat ge-sterliseer is. Inwoners met skriftelik aansoek .doen by die Raad van Trustees om n kat aan te hou. Huidige eienaars en huurders moet 00k aansoek doen-

## ERGASTE

15.1 Inwoners fs 'ierantwoordelfk vir dåe gedrag van hulle kuiergaste en moet toesien dat a 1 Ie Reäls gehoorsaam word.

BCIGHEIDSAKTIWITEITE geen besigheid, beroep of ambag mag 6f op die gemeenskaplike eiendon, of in h eenheid bedryf word nie.

6.2 Geen vendusie of romel verkoping mag op die gemeenskaplike eiendom of. in h eenheid gehou word nie. 16-3 Geen advertensie of publisiteitsmateriaal nag uitgestal of in die gebou versprei word nie.

## EKSTERIEUR

17.1 Geen lugreE7aars. TV-antennas of Tugdrade mag geinstaüeer word op so h wyse dat dit sigbaar is van buite nie. ladien so h .insta)lasie oomqeeg word, moet skriftelik by die Raad van Trustees aansoek gedoen word, wie dan die riglyne sal neerlé.

## Original Page 67

'17.2 Geen versierings aangebring word op die gemeenskapl ike eiendom nie. Geen gemeenskapi ike eiendom mag geverf of op enige manier behandel word, behalwe waar spes ifieke toesteming van die Regspersoon verkry is, wie dan 00k sai aandui -wet die voorwaardes is betreffende die wyse waarop die werk uitgevoer met word.

17.3 Enige skade aan die posbusse met herstel word op die koste van die ei enaar. Fen rmg of de gareadaplje DEEDS oeFtce

# Original Page 68

## SURVEYORGENERAL

LANDMETERGNERAAL Department of Land Affairs . Departement van Crondsake UMnyango wezoMhEaba . Lefapha ta tsa Naha Die Registrateur van Aktes Privaatsak XI 83

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## 0001 PRETOÅA

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## PRRtOBIA. .GARDENS 1997.12.03

WYSIGING/OPDATERING/ENDOSSERING VAN DEELPLAN NAAMVAN SKEtA ..Besvi11..... ... 587/.1980. . Hiermee u afskrif van bogenoemde deelptan met die nodige wysiging/s /endos-sementje dearop aangebring.

## R W HERBERT

nms LANDMETER-GENERAAL vorms!wys.opd/mn

## PRETORIA

## Original Page 69

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