



CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

DEVELOPMENT MANAGEMENT

NNGQOBE
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BLUM016

12 NOVEMBER 2019

MLH ARCHTECTS AND PLANNERS CAPE PTY LTD
Email: alleng@mlh.co.za

Dear Sir

**PROPOSED AMENDMENT OF THE RIVERGATE BUSINESS PARK PROPERTY OWNERS' CONSTITUTION: ERF 184,
84 RIVERGATE DRIVE, RIVERGATE**

With reference to your application received on 19 August 2019 in the above regard, and in terms of the delegated powers of authority, it has been resolved by the authorised official that the amendment of clause 1.9 of the Rivergate Business Park Property Owners Association Constitution is approved.

The amended document, attached hereto, must be distributed to the members of the Rivergate Business Park Property Owners' Association.

Yours faithfully


ELMARI MARAIS
for **DIRECTOR: DEVELOPMENT MANAGEMENT**

1. DEFINITIONS

In this constitution and unless inconsistent with the context the following words and expressions shall have the meanings hereby assigned to them:

- 1.1 **ACT** means the Sectional Titles Act No. 95 of 1986, as amended.
- 1.2 **ALIENATE** means alienate any **ERF** or part thereof or **UNIT** and includes by way of sale, exchange, donation, deed, intestate succession, will, cession, assignment, court order, insolvency or liquidation, irrespective of whether such alienation is subject to a suspensive or resolutive condition and "**ALIENATION**" shall have a corresponding meaning.
- 1.3 **ASSOCIATION** means Rivergate Business Park Property Owners Association which is established in terms of clause 4 and which is bound by the provisions of this **CONSTITUTION**.
- 1.4 **AUDITORS** means the auditors of the **ASSOCIATION** for the time being and from time to time.
- 1.5 **CHAIRPERSON** means the Chairperson for the time being of the **TRUSTEES**.
- 1.6 **CONSTITUTION** means this document with the annexures hereto and includes all/any amendments made hereto from time to time in terms hereof.
- 1.7 **DEVELOPER** means The Milnerton Estates Limited (Registration No.1897/000196/06), a duly registered South African public company and includes its successor/s in title or assigns, in collaboration with Aska Property Group Proprietary Limited (Registration No. 1987/003781/07), a duly registered South African private company and includes its successor/s in title or assigns, constituting a joint venture which will be represented from time to time by a representative appointed by the joint venture to act on behalf of the joint venture in implementing the **DEVELOPER'S** rights and obligations in terms of this **CONSTITUTION**.
- 1.8 **DEVELOPER TRUSTEE** means a trustee appointed by the **DEVELOPER**.
- 1.9 **DEVELOPMENT** means all phases of the development known and to be known as RIVERGATE BUSINESS PARK which initially comprises the shaded area of land indicated on Annexure "X" hereto and which is further referred to as "Phase 1A" which, in turn, will be divided into sub-phases, the initial sub-phase whereof is the area referred to as "Phase 1A1" together with erf 184 Rivergate and to which the **DEVELOPER**, with the written consent of the **LOCAL AUTHORITY**, may from time to time add further adjoining immovable property which shall be incorporated in and form part of the **DEVELOPMENT** upon the issuing of such written consent.