

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
18 June 2019
(Also the agenda for the Mayoral Committee Meeting : 26 June 2019)**

**5.
STANFORD: PARTIAL AMENDMENT OF RESOLUTION DATED 27 AUGUST 2004
FOR THE ALIENATION OF MUNICIPAL PROPERTY (ERF 471 STANFORD)**

7/2/3/2

**M Erasmus
16 April 2019**

(028) 316 - 3724

Hermanus Administration

1. Executive Summary

The purpose of this report is to obtain approval for the amendment for the name change of CRK Agriculture Limited, hereinafter referred to as "CRK", as per the Minutes of the Mayoral Committee Meeting dated 27 August 2004, to Overberg Agri (Pty) Ltd.

2. Service Delivery and Budget Implementation Plan - IGNITE

Infrastructure and Planning
Property Administration

3. Compliance with Strategic Priorities

Provision of democratic, accountable and ethical governance
Promotion of tourism, economic and social development

4. Delegated Authority

None

5. Legal Requirements

- Administration of Immovable Property Policy of the Overstrand Municipality, as amended
- Local Government: Municipal Finance Management Act, Act 56 of 2003
- Municipal Asset Transfer Regulations (R. 878 of 2008)

6. Background/Discussion/Evaluation/Conclusion

Background/Discussion

Background:

Erf 471 Stanford situated at the corner of Reguit and Poole Streets, Stanford is municipal property. A locality map is attached per Annexure A and a diagram per Annexure B.

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The Stanford Municipality gave permission on 12 February 1981 to CRK to erect a semi-detached house for two of their employees for which an annual rent was levied on the municipal services account.

In 2004 CRK applied to purchase Erf 471 Stanford during which period the alienation of municipal property was approved by the Executive Mayor at a Mayoral Committee Meeting in terms of legislation that was applicable at that time.

Executive Mayoral approval:

The Executive Mayor at a Mayoral Committee Meeting subsequently resolved on 27 August 2004 as follows:

- “1. that erf 471, Stanford, 553m² in extent, be sold to CRK Agriculture Limited for R16,000.00, and*
- 2. that all cost be borne by the purchaser.”*

Subsequent to the abovementioned approval a Deed of Sale dated 6 June 2005 was entered into between the Overstrand Municipality and CRK Agriculture Ltd for Erf 471 Stanford at an amount of R18,240.00 (EIGHTEEN THOUSAND TWO HUNDRED AND FORTY RAND) (VAT included). The transfer could however not be effected in the Deeds Office as, amongst others, the original Title Deed could not be located at that stage. An Application was made by Guthrie & Theron, who were appointed to register the transfer of the property into the name of CRK, to obtain a certified copy of the Title Deed, in order to proceed with the transaction.

Since then a Certificate of change of name has been registered for the name change from CRK Agriculture Limited to Overberg Agri (Pty) Ltd.

Conclusion

It is recommended that paragraph 1 of the Resolution dated 27 August 2004 be amended to substitute the name of the approved purchaser, being CRK Agriculture Limited, to the new registered name being Overberg Agri (Pty) Ltd in order to finalise the matter.

7. Financial Implications

None

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8. Staff Implications

None

9. Comments from other Departments, Divisions and Administrations

None

10. Annexures

Annexure A: Locality map

Annexure B: Diagram

Annexure C: Mayoral Committee Meeting Resolution dated 27 August 2004

RECOMMENDATION TO THE COUNCIL:

that the name of the purchaser of Erf 471, Stanford, as it appears on the Deed of Sale dated 6 June 2005, to wit CRK Agriculture Ltd, be substituted with the name of Overberg Agri (Pty) Ltd.

RESPONSIBLE OFFICIAL :	M ERASMUS
TARGET DATE FOR IMPLEMENTATION :	IN PROCESS
TARGET DATE TO INFORM APPLICANT :	15 APRIL 2019
TARGET DATE TO INFORM OBJECTOR :	N/A

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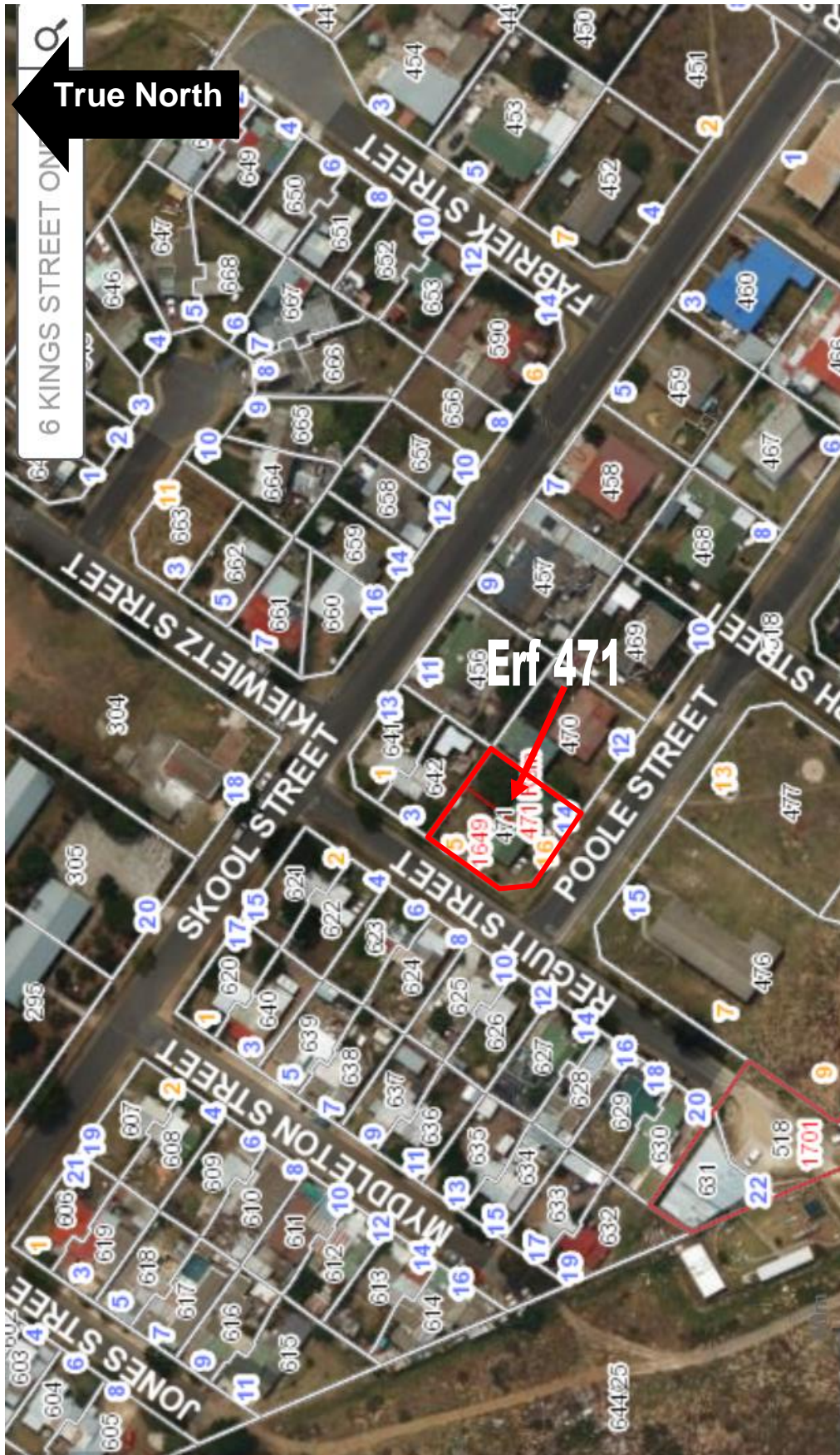
Hermanus Administration


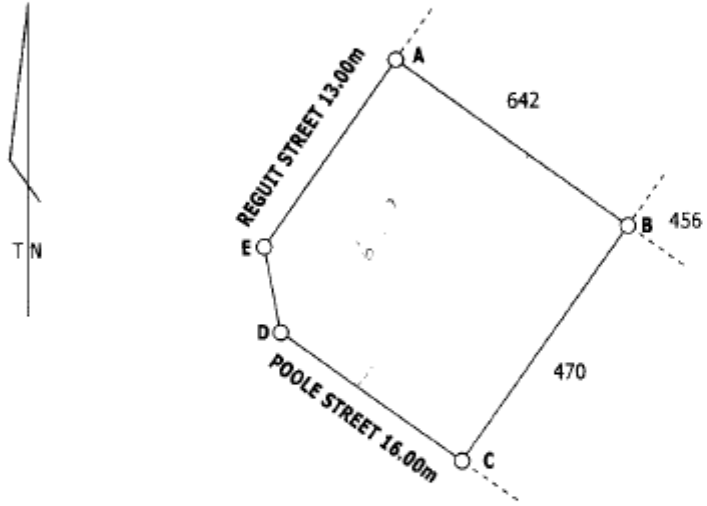

**THIS MATTER SERVED BEFORE THE JOINT PORTFOLIO COMMITTEE ON
18 JUNE 2019, WHICH COMMITTEE RECOMMENDED AS FOLLOWS:**

RECOMMENDATION TO THE COUNCIL:

that the name of the purchaser of Erf 471, Stanford, as it appears on the Deed of Sale dated 6 June 2005, to wit CRK Agriculture Ltd, be substituted with the name of Overberg Agri (Pty) Ltd.

RESPONSIBLE OFFICIAL :	M ERASMUS
TARGET DATE FOR IMPLEMENTATION :	IN PROCESS
TARGET DATE TO INFORM APPLICANT :	15 APRIL 2019
TARGET DATE TO INFORM OBJECTOR :	N/A



Spronk, Lorton and Associates		1406/97	GENERAL PLAN... TP 9147
	SIDES Metres	ANGLES OF DIRECTION	
AB BC CD DE EA	23.66 24,00 18,44 7,10 19,00	305 34 50 35 34 50 125 34 50 170 19 50 215 04 40	
			S.G. No. 5153/1998 Approved  for SURVEYOR- GENERAL 25-8-1998
			
Scale 1:500 The figure A B C D E Represents 553 square metres of land being ERF 471 STANFORD STANFORD EXT. NO. 2 IN THE Situate in Transitional Local Council Stanford Administrative District of Caledon Province Western Cape Framed in terms of Section 16 of Act 8 of 1997 in August 1998 by me			
 PF Spronk (PLS 0779) Professional Land Surveyor			
This diagram is annexed to d.d. i.f.o.	The original diagram is SECTION 16 DIAGRAM OF S.G. No. ERF 471 Transfer Grant		File S.9411/30 S.R. Framed TP 9147 Comp. AINX-1471(M4310)

MINUTES OF THE MAYORAL COMMITTEE MEETING**27 AUGUST 2004****5.
STANFORD: APPLICATION TO PURCHASE ERF 471 STANFORD, FROM THE
OVERSTRAND MUNICIPALITY**

Erf 471		
PH Ferreira	(028) 341 0640	Stanford Administration

EXECUTIVE SUMMARY

An application was received from CRK Agriculture Limited for the purchase of erf 471 on the corner of Reguit- and Poole Streets, Stanford.

RESOLVED (NEM CON)

1. that erf 471, Stanford, 553 m² in extent, be sold to CRK Agriculture Limited for R16,000, and
2. that all costs be borne by the purchaser.