



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

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SPECIAL POWER OF ATTORNEY

WHEREAS Boschendal Estate (Pty) Ltd. has applied to Stellenbosch Municipality for various land-use approvals;

WHEREAS, in terms of these approvals, Boschendal Estate (Pty) Ltd. have to upgrade certain bulk infrastructure, such as water- and sewer reticulation pipelines, some of which will become public infrastructure, whilst others will remain the property of Boschendal Estate (Pty) Ltd.;

WHEREAS some of these pipelines will cross land that is registered or vests in the name of Stellenbosch Municipality by virtue of its status as public roads (whether transferred into the name of the Municipality or not);

WHEREAS the necessary authorization needs to be obtained from the various authorities for the construction of the said infrastructure; and

WHEREAS certain servitudes must be registered in favour of Boschendal Estate (Pty) Ltd. (insofar as it crossed Municipal land) or in favour of Stellenbosch Municipality, insofar as it would become public lines (crossing private land),

NOW THEREFOR IT IS AGREED AS FOLLOWS:

I, **Anthony Barnes**, in my capacity as **Acting Municipal Manager of Stellenbosch Municipality**, being duly authorised to do so (*ex-officio*), do hereby authorise **Boschendal Estate (Pty) Ltd.** or someone appointed by them for this purpose, (hereinafter called "the Agent"), to

a) apply for the necessary authorisations from the various authorities for the construction of the infrastructure referred to above, insofar as it crosses land that vests with Stellenbosch Municipality; and
b) to negotiate with third parties on behalf of Stellenbosch Municipality, insofar as the said infrastructure would become public infrastructure and where such infrastructure crossed private property, for the registration of the necessary servitudes in favour of Stellenbosch Municipality, without committing the Municipality to the payment of any compensation/consideration for the registration of such servitudes.

It is further agreed that, notwithstanding, the issuing of this PoA,

- a) That Boschendal Estate (Pty) Ltd. or their Agent will advise Stellenbosch Municipality, in writing, of the specific project for which this PoA will be used;
- b) Any infra-structure project would be subject to normal approval processes by the various Stellenbosch Municipal departments, prior to the commencement of construction of such projects.

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- c) On completion, Stellenbosch Municipality would inspect and sign-off, as approval of the installation of such service ,before the issuing of any Occupancy Certificates.

The undersigned hereby nominates, constitutes, and appoints the above person/party with full power of substitution to be the registered owner's legal representative/agent and to act in the name, place and stead of the registered owner in the above regard. Accordingly, power of attorney is hereby also granted to the agent to sign and receive all correspondence in respect of the matter referred to above during the applicable process.



Date: 12 August.....2021

ANTHONYBARNES

Acting Municipal Manager

Witness 1: 

Witness 2: 