

FIRST AMENDMENT OF THE

CONSTITUTION:

YZERFONTEIN-
HEIGHTS
OWNER'S ASSOCIATION

A statutory body established
in terms of Section 29 (1) as read with
Section 42 of the Land Use Planning
Ordinance 15 of 1985

The parties hereby amend clause 6 of the constitution by deleting and replacing it with the following:

“6. LEVIES

- 6.1 The Trustee Committee may from time to time impose levies upon every member, excluding the Developer during the Development Period, for the purpose of meeting all the expenses in relation to the provision of services and the general maintenance, rehabilitation, security and upkeep of the common areas, the amenities and for the payment of all expenses necessarily or reasonably incurred in connection with the management and operations of the Association and its affairs.
- 6.2 The Trustee Committee may from time to time also impose special levies upon a member in respect of all such expenses as are mentioned in clause 6.1 and determining the amount of such levies in accordance with clause 6.3 below. The provisions of clauses 6.4, 6.5 and 6.6 shall *mutatis mutandis* apply to special levies.
- 6.3 In calculating the levies, including special levies, payable by each member, the Trustee Committee shall, so far as reasonably practical, apportion the costs as follows:
- 6.3.1 equally between the registered owners of the 28 residential zone I erven, these expenses generated exclusively by the said 28 residential zone I erven;
- 6.3.2 equally between the registered owners of the the 56 residential zone II erven, these expenses generated exclusively by the said 56 residential zone II erven, the 5 open space zone II erven and the private road; and
- 6.3.3 equally between all the members, all other expenses that cannot be apportioned in accordance with clauses 6.3.1 and 6.3.2 above.
- 6.4 The Trustee Committee shall in its sole discretion determine the manner of payment thereof.
- 6.5 The Trustee Committee's decision in calculating the levies and the manner of payment shall be final and binding on every member.
- 6.6 Any amount due by a member by way of levies shall be a debt due to the Association.”

SIGNED BY SWARTLAND MUNICIPALITY AND THE DEVELOPER

On behalf of Swartland Municipality
Date:
Place: Malmesbury

On behalf of the Developer
Date:
Place: Malmesbury