

The following is a HOMEOWNERS ASSOCIATION
CONSTITUTION:

11. ESTATE RULES

11.1. Subject to the provisions of this constitution and to any directions given by the Association in general meeting and to any conditions imposed by the Council or the developer or any other statutory body, the trustees may make rules, codes of conduct

and may vary or modify the same, in connection with:

11.1.1. the nature, architectural design and position of buildings, structures, installations

and equipment relating to any erf ensuring at all times that these rules comply to

the conditions of the design manual;

11.1.2. the nature, content and design of the gardens relating to any erf including the

establishment and maintenance of landscaping in these areas ensuring at all times that these rules comply to the conditions of the design manual;

11.1.3. the nature of the common areas adjacent to any erf including the establishment

and maintenance of landscaping in these areas by the member concerned;

11.1.4. the installation, operation and maintenance of irrigation in the common areas

adjacent to any erf by the member concerned;

11.1.5. the determination or control of security measures;

11.1.6. the control of the building operations and the conduct of builders and contractors;

11.1.7. the control of the number of residents permitted on any one erf;

11.1.8. the control and conduct of persons for the prevention of nuisance of any nature

to any resident;

11.1.9. the control and conduct of persons using the common areas;

11.1.10. the keeping of animals including the right to prohibit, limit, restrict and control

the keeping of animals;

11.1.11. the use of roads, infrastructure, services amenities and facilities in the common

areas including the right to charge a reasonable fee for the use of the amenities

and facilities;

11.1.12. the furtherance and promotion of any of the objects of the Association and for

the better management of the affairs of the Association and for the advancement and protection of the interests of the members and residents;

11.1.13. the use of the property.

11.2. For the enforcement of any rules or any of the provisions of this constitution generally

the trustees or the manager may:

11.2.1. give notice to the member concerned to remedy any breach within such

period

as they may determine;

11.2.2. take or cause to be taken such action as they deem fit to remedy the breach of

which the member concerned may be guilty and debit the cost thereof, which shall be a debt due to the Association, to his levy account, and which shall be payable as part of his levy on the first day of the following month; and

11.2.3. impose a fine on the member concerned which amount shall be a debt due to

the Association, shall be debited to his levy account and shall be payable as part

of his levy on the first day of the following month.

11.3. Should the trustees or manager institute legal proceedings against any member or

resident for the enforcement of any of the rights of the Association in terms hereof,

the Association shall be entitled to recover all legal costs so incurred from the member

concerned, calculated as between attorney and client, including tracing fees and

collection commission.

11.4. In the event of any breach of the rules or of any of the provisions of this constitution

by any person residing on a member's erf or his guests, employees, contractors, or

agents, such breach shall be deemed to have been committed by the member himself;

but without prejudice to the foregoing, the trustees or manager may take or cause to

be taken such steps against the person actually committing the breach as they may in

their discretion deem fit, in addition to any action which might be taken against the

member concerned.

11.5. Without prejudice to any of the rights the Trustees or the Association may be granted

under this Constitution, should any member fail to pay any amount due by that Member on due date, then such Member shall pay interest thereon at the publicly

quoted prime rate of interest charged by the Association's bankers from time to time

calculated from the due date for payment until the actual date of payment of such

amount.

12. BUILDING, ARCHITECTURAL AND DESIGN REQUIREMENTS

12.1. The Association shall be entitled to:

12.1.1. Frame, implement and enforce conditions on members in order to harmonize

the architectural styles and design criteria of and the materials and colours to be

used in all buildings erected within the scheme including any refurbishment, alterations or additions thereto.

12.1.2. Do such acts as are necessary to accomplish the purposes expressed or implied

herein which acts shall include, inter alia, the examination and endorsement of the relevant building plans as necessary for any construction, renovation and / or

alterations within the scheme.

12.1.3. Appoint such advisors as are necessary to scrutinize the relevant plans referred

to herein. Impose a scrutiny fee on members for the services as mentioned herein.

12.2. The provisions of this clause shall be applicable in relation to any of the works to be

undertaken by the Developer prior to the completion of the scheme.

12.3 Where applicable all water network, sewer network, stormwater network and road

network components (downstream of the valve immediately upstream of the bulk

water meter, upstream of the connection to the existing system or intersection point

with the existing road) shall be a private combined system and shall be indicated as

such on all documents and plans.

12.4 All private combined systems (including but not limited to water, sewer, stormwater,

roads, irrigation, etc) shall be the joint and several responsibility (including but not

limited to the administration of the joint account and operation and maintenance of the

system) of the members of the Home Owners Association.