

WESTLAKE COUNTRY & SAFARI
ESTATE

ESTATE RULES

Updated May 2007

BOARD OF DIRECTORS FORWARD

Over the past ten years, there has been a concerted movement of South Africans towards gated Estates, primarily for the increased security, but in many cases to reduce the costs of the old style large properties to which we had become accustomed. Most of these Estates are characterised by small properties where the homes are sited in very close proximity to each other, and the lifestyle is such that many neighbours are not friendly with each other and rarely interact.

At Westlake we are truly fortunate to have all the advantages of the increased security of a gated Estate, while having stands and homes of a size which allows for one of the best lifestyles in the country. Wide open common areas, wildlife, birdlife and a good range of facilities make Westlake second to none, and we feel we have an Estate to be proud of.

It is our earnest request that all homeowners and residents conduct themselves in a manner so as to be conducive to the lifestyle offered by the Estate. In any Estate, the manner in which residents conduct themselves plays a large part in setting the standards for the Estate, and it is for this reason that the Board of Directors request the following:

Live in a manner so as not to impact negatively on other residents or our environment.

Respect our Estate, its facilities, flora and fauna and your fellow residents.

Drive in a manner so as not to pose a danger to our children or our animals.

Thanking you

**BOARD OF DIRECTORS
JANUARY 2007**

INDEX

RULES

INTRODUCTION

1. LEGAL STATUS
2. GENERAL CONDUCT
3. AMENDMENTS
4. PAYMENTS FOR SERVICES AND LEVIES
5. ROADS AND TRAFFIC
6. GOOD NEIGHBOURLINESS
7. TENANTS OF WESTLAKE HOSTEL & DOMESTIC WORKERS
8. LANDSCAPING AND PROPERTY MAINTENANCE
9. ADHERING TO ARCHITECTURAL STANDARDS & SIGHT LINES
10. ENVIRONMENTAL MANAGEMENT
11. DAM AND BOATING RULES
12. SWIMMING POOLS AND INLAND DAMS
13. SECURITY AND SAFETY
14. ANIMALS AND PETS
15. RESELLING OF PROPERTY
16. ENFORCEMENT OF ESTATE RULES
17. RIGHT OF APPEAL
18. NOTICES
19. DISCLAIMER

ESTATE RULES

RULES

In addition to the restrictions imposed by relevant Approving Authorities, and subject to any restriction imposed or direction given at a Special Meeting of the Company, the Directors may from time to time, in a duly constituted Directors meeting where unanimous agreement is achieved, make rules which may include house, building, aesthetics, architectural or Estate rules.

In the interpretation of these rules and unless contrary to or excluded by the subject or the context:

- Words signifying the singular number shall include the plural and vice versa;
- Words signifying the masculine shall include the feminine;
- All definitions, words and expressions must be referenced to the relevant pages of the Articles of Association.

INTRODUCTION

One of the main objectives of the development has been the provision of a high quality lifestyle for the Estate residents with a wider range of facilities comparable to any other development in the area.

The intention of the Directors of Westlake Country & Safari Home Owners Association (WHOA) in drafting these Estate Rules is that of protecting this lifestyle, without being too onerous.

The Estate Rules, which may change from time to time, have been established in terms of the Memorandum & Articles of Association of the Estate. They are binding upon all residents and visitors to the Estate.

1. LEGAL STATUS

- 1.1. These rules have been established by the Directors in terms of the Memorandum and Articles of the Westlake Country & Safari Home Owners Association (“WHOA”). The Directors are the only persons entitled to represent the WHOA with regard to the rules. Under no circumstance is the Estate Manager authorised to represent WHOA in this regard.
- 1.2. These rules are enforceable in law and the registered owner or occupier of every property within the Estate, is responsible for ensuring that all members of his family, tenants, visitors, employees, contractors, contractors’ sub-contractors, and delivery persons, also comply with the Estate rules.
- 1.3. Should any owner let his property, he shall in writing advise the WHOA in advance of occupation of the name of the lessee, and the period of such lease. The owner shall inform the lessee of all Estate Rules and other rules, and bind the lessee to adhere to such rules. A lessee’s acceptance form is included and all agreements shall contain the following clause:
 - 1.3.1. the lessee acknowledges upon occupation of the premises that his family, visitors and servants shall adhere to the rules and regulations as contained in this document.
 - 1.3.2. the lessor must personally ensure that the lessee receives a copy of the Estate rules, and any other administrative regulations, applicable at the time and binds his lessee to the rules and regulations in the lease.
- 1.4. The Directors shall have the right in the event of a breach of a rule by an owner, to take such action against the defaulting owner as they deem fit on behalf of the WHOA, including but not limited to:
 - 1.4.1. the remedying of the breach at the defaulting owner’s cost, and/or
 - 1.4.2. the imposition of a fine as the Directors deem appropriate. The value of fine will range between R2 000.00 and R5 000.00, depending on the severity of the breach and the number of transgressions accruing to the owner; and/or

- 1.4.3. the barring of the defaulting owners access to the facilities of the Estate.

2. GENERAL CONDUCT

In order to preserve and enhance the residential amenities and lifestyle within the Estate, all owners and residents shall at all times behave and conduct themselves in a considerate, reasonable and civilised manner, and shall in particular avoid causing inconvenience or nuisance to other owners.

3. AMENDMENTS

- 3.1. Particularly in a developing Estate, rules will need to be added to, amended or repealed in accordance with evolving needs of owners and the Estate management.
- 3.2. These rules are therefore subject to change from time to time, and the Directors are entitled to add to, amend or repeal the rules as deemed necessary to protect the interest of the Directors and the WHOA, the common interests of owners and the integrity of the Estate as a whole.
- 3.3. The Directors may establish Class II Rules in a duly constituted board meeting where unanimous agreement is reached. Class I Rules, however, are contained in the Articles of Association of the Estate and may only be changed by means of a 75% majority of the Members of the Home Owners Association at a meeting of the Members held in terms of the Articles of Association.

4. PAYMENT FOR SERVICES AND LEVY PAYMENTS

- 4.1. Levies are payable in advance, on the 1st day of the month, and interest is payable on arrears. Levies may not be withheld for any reason whatsoever. Those who jointly own a property are liable for levies jointly and severally.
- 4.2. All payments must be made to the WHOA, by debit order, by cheque, or electronic transfer to be crossed and marked "not transferable".
- 4.3. Any outstanding amounts owing to the WHOA shall bear interest at the prime rate as indicated by Standard Bank at the time the payment is due.

- 4.4. The Directors have the right to fine transgressors where any of the rules as stipulated by the WHOA from time to time have been broken. Such fines will be invoiced with the monthly levy and be due and payable on due date of payment of the levy.
- 4.5. A further penalty, to be determined from time to time, will be imposed on any accounts or fines unpaid after 60 days.
- 4.6. In the event of default of payment of levies or fines the WHOA shall be entitled, in addition to any fines, to take further action as may be allowed by law to recover amounts owing to it.
- 4.7. No clearance certificate for the sale of a property in the Estate shall be issued by the Directors of the WHOA if any amounts are owing to it by an owner.
- 4.8. Any legal costs incurred by the WHOA in respect of any legal action against an owner for non-payment of any monies owing to the WHOA shall be recoverable from the owner on an attorney and own client scale.

5. ROADS AND TRAFFIC

- 5.1. For the purpose of these rules “vehicle” shall mean any form of conveyance, whether self-propelled or drawn by mechanical, animal or human agency.
- 5.2. The speed limit is 30 km/hour, and the appropriate regulations of the North-West Provincial Road Traffic Ordinance shall apply *mutatis mutandis* to all vehicles in the Estate.
- 5.3. Driving on sidewalks is not allowed. Parking of vehicles in the Estate is subject to the express condition that every vehicle is parked at the owner’s risk and responsibility and that no liability shall attach to the WHOA or its agents or any of their employees for any loss or damage of whatever nature which the owner, or any person claiming through or under him may suffer in consequence of the vehicle having been parked in the Estate.

- 5.4. Pedestrians and animals shall have the right of way at all places and at all times within the Estate and vehicles shall be brought to a stop whenever necessary to enable such pedestrians or animals to enjoy such right of way.
- 5.5. Any non-road licensed vehicle incl. Rhino's, Golf Carts, Motor Bikes, Scooters or Quad Bikes being used on the Estate must be registered with the Estate Manager. A nominal registration fee will be charged. Registration stickers must be displayed on vehicles at all times. Quad Bikes, Motorbikes and/or Motorised Scooters must not be driven continually up and down a street to disturb the residents, but used more as a means of transport to and from a location.
- 5.6. No person shall drive a non road registered vehicle referred to in clause 5.5 above, any place in the Estate unless he totally versed with the rules applying to the use of the vehicle in the Estate. The rules are printed on the annual registration document which may be changed from time to time at the sole discretion of the Directors. All traffic ordinances applying to public roads will apply in the Estate.
- 5.7. Quad Bikes and Motorcycles/Motorised Scooters are not to be driven in the wildlife areas. Riders must remain on the dirt road and drive slowly to avoid disturbing the wildlife.
- 5.8. Parents are responsible for the safety of their children playing in the streets and must be aware that should they allow their children to do so, it will be done at their own risk
- 5.9. No vehicle shall enter the Estate except upon the production to the guard on duty at the entrance gate of an vehicle identification sticker, or access card, issued by Management as evidence that the occupants of such vehicle are entitled to enter the Estate. A maximum of 6 stickers is allowed per household. Alternatively in the event of occupants of such vehicle wishing to enter the Estate as the invitees of an occupant of the Estate, upon the said guard having satisfied himself by reference to the person having issued the invitation that the occupants of the said vehicle may be admitted to the Estate.

- 5.10. No articulated vehicle with a gross mass of more than 8 tonnes will be allowed on the Estate.
- 5.11. No helicopter, aircraft or any other means of aerial conveyance may be landed at any place in the Estate without the permission of the Estate Manager. There is a designated helicopter landing pad adjacent to the management office. Landing on this helipad and permission to do so, must be obtained by the Estate Manager.

6. GOOD NEIGHBOURLINESS

- 6.1. Large parties shall only be held with prior arrangement and approval by the Board of Directors.
- 6.2. In the interest of good neighbourliness it is expected that any entertaining will be contemplated only after prior consultation with neighbours who may be disturbed or in any way negatively affected by such activities.
- 6.3. The volume of TV, music, radio's etc. partying, children, power tools and the activities of domestic help should be kept at a level which will not be disturbing to owners of adjoining properties. No loud/disturbing music is permitted within reason; consideration of neighbours must be paramount.
- 6.4. The mechanical maintenance and use of power saws, lawnmowers, and the like, should only be undertaken at reasonable hours and so as not to cause nuisance to the neighbours. The use of lawnmowers, power tools and the maintenance of homes and gardens may only be undertaken between the hours of 8:00 and 17:00 Monday to Friday (during the summer months, until 18:00) and 08:00 to 13:00 on Saturdays. No work shall be done on Sundays or public holidays.
- 6.5. Owners are reminded that their conduct at all times is governed in any event by Council By-laws which include the following:

“21(1) No person shall disturb the public peace in a street or public place, or on private premises by making noises or causing them to be made by shouting, quarrelling, fighting, singing or playing any type of musical or noise-creating instrument or gramophone, or by means of a radio, loud speaker or similar device, or by riotous, violent or immoral behaviour,

21(2) No person shall, except with the written permission of the Assistant Chief Protection Services, discharge any fireworks within the municipal boundaries of the Council or allow such fireworks to be discharged”.

- 6.6. Laundry and any other unsightly items may only be hung on lines screened from the street and neighbours when viewed from the street frontage of the property.
- 6.7. Refuse must be placed in refuse bins and will be collected by the Council every Monday except when the Monday is a public holiday then the refuse will be collected on the Tuesday. After refuse is collected the bin must be stored in an enclosed kitchen court yard. Refuse bins may be purchased from the Estate Manager.
- 6.8. Owners shall inform tenants and visitors not to vandalise lights, toilets, swimming pool equipment or any asset belonging to the Estate. Should any vandalism occur, the replacement costs or repair shall be for the owners account.
- 6.9. No homeowner or resident shall establish or conduct a business from any property on the Estate, save that such business is conducted entirely within the home and no goods, stock, advertising or articles shall be stored on a property for the purpose of running a business from the Estate. Any such business conducted from within a home shall not be allowed if such business creates a disturbance to neighbouring properties.

7. TENANTS OF WESTLAKE HOSTEL & DOMESTIC WORKERS

- 7.1. Homeowners who wishes to lease a room from the WHOA will be required to and responsible for:
 - 7.1.1. Complete and sign a rental agreement and acknowledgement of the rules and advising the Estate Manager of the name of the occupant/s of the room together with a copy of his/her I.D. document
 - 7.1.2. Ensuring occupation is restricted to two adult persons per room. Children under the age of 12 years may reside with a parent if prior approval is obtained from the Estate Manager;

- 7.1.3. Advising the Estate Manager of any visitors visiting the room on an overnight basis so that a visitors pass may be issued;
- 7.1.4. Advising of any change in occupancy;
- 7.1.5. Ensuring their occupant/s fully understands the Hostel Rules and the Estate Rules;
- 7.1.6. Ensuring their occupant/s obeys all the rules and take action if any rules are broken;
- 7.1.7. Ensuring the room and the area around the room is kept neat and tidy at all times;
- 7.1.8. Conducting an inspection of the room from time to time to ensure maintenance is kept up to date and a good hygiene is observed;
- 7.1.9. Only persons employed and working at Westlake may be resident in the Hostel.
- 7.1.10. No firearms may be kept at the Hostel.
- 7.2. Domestic workers resident on the Estate must be apprised of the rules and have full respect thereof, particularly with regard to noise levels and good neighbourly conduct. There may be no more than two domestic workers per property.
- 7.3. All domestic-, garden workers and hostel residents must proof their registration by carrying their I.D. Books or Access Card at all times.
- 7.4. Westlake security reserves the right to remove troublemakers or illegal occupants from both the hostel and private domestic quarters.
- 7.5. If a Domestic Worker resident either at the hostel or at a private property has shown disregard for the rules of the Estate or continues to ignore warnings by other residents or the designated security contractor, in respect of breaches, the WHOA Board of Directors can take action against the transgressor, which may result in the offending party being removed from the Estate.

8. LANDSCAPING AND PROPERTY MAINTENANCE

- 8.1. Every owner has a responsibility to the Estate community as a whole to maintain the area between the road curb and the boundary of their property, including the maintaining of trees and/or shrubs planted by the WHOA.
- 8.2. Garden fences/walls and outbuildings form part of the streetscape and should be maintained and painted where necessary, failing which the WHOA will have the fence/wall or outbuilding repaired or removed or painted and the cost charged to the owner.
- 8.3. Wendy houses, and tool sheds are not permitted, unless in an enclosed courtyard and not visible to neighbours or the road. Owners must have written board approval.
- 8.4. Tools, engine and vehicle parts as well as accommodation for pets and other unsightly items should be sited out of view and screened from the neighbouring properties.
- 8.5. Building material and garden refuse may not be dumped on the sidewalks, common property, or empty stands under any circumstances. No property owner may allow the use of their stand for parking, dumping or storage of vehicles, stock, material or any other item, unless special permission was granted by the Estate Manager.
- 8.6. No trees, plants or sidewalk lawn may be removed without the permission of the WHOA. No person may cut down, fell, mark, injure, remove or destroy a tree or any other plant or part thereof, whether living or dead. Plantings should not interfere with pedestrian traffic or obscure the vision of motorists.
- 8.7. Gardens shall be kept neat and tidy at all times failing which the Estate Manager shall have the right to maintain the garden at the cost of the owner.
- 8.8. Every owner is to plant at least 10 indigenous trees within a period of two (2) years from purchase of his property or stand. No declared invaders listed under "The Conservation of Agricultural Resources Act", Act no. 43

of 1983, may be planted. A list of these Plants/Trees is available at the Estate Manager's Office.

- 8.9. No firewood is to be cut or collected anywhere on the Estate whatsoever.
- 8.10. No dams, waterways or canals may be constructed without permission and approval of the WHOA.
- 8.11. No fires may be made on common property, or in an unprotected area. Any damage caused by fires emanating from the activities of any owner or resident shall be for the property owners account.
- 8.12. No member may encroach on common property. At all times there must be free and unhindered access to all residents. As per the Articles of Association, the common property belongs to the members and only the members in terms of a Special Resolution and/or the Directors may decide on issues relating to the common property.
- 8.13. No Homeowner or member may install a Borehole on the Estate as per the Conditions of Establishment.

9. ADHERING TO ARCHITECTURAL STANDARDS AND SIGHTLINES

- 9.1. All buildings, plans and materials shall be in accordance with the Architectural Specifications applicable to the Estate. This applies to any additions and alterations to existing structures as well as fencing, garden walls and patios, carports and/or outbuildings.
- 9.2. TV aerials and/or satellite dishes may not be installed in such a way as to be unsightly and degenerative to the atmosphere of the Estate. The position, size and siting of aerials and/or satellite dishes to take into account the effect on the view from the neighbouring properties, which will be more fully dealt with in the architectural specifications.
- 9.3. Homeowners shall not cause to build, or alter any boundary wall to exceed a height of 1.8 metres. Walls in the front, i.e. view side of homes shall not exceed 1.0 meter.
- 9.4. No homeowner shall cause a home or wall to be built which degrades a neighbour's view. All plans shall be passed by the Aesthetics Committee,

after an inspection of the siting has been done to ensure no impact has been caused. For the purposes of this rule, a sightline shall be deemed to be 30 degrees either side of the impacted property's view to the outside of the impacted property's view line.

- 9.5. Should an erf be sited such that it is not possible to construct a home or wall without degrading the view of a neighbour/s, such construction shall only take place with an exemption from this rule issued by the Directors upon consultation and signed by the affected neighbour/s. In the case of properties which are sited in a line, the construction of homes shall in all possible cases line up as well.

10. ENVIRONMENTAL MANAGEMENT

- 10.1. Rubble or refuse should not be dumped or discarded in any area, including the lakes, parks and streets.
- 10.2. Picnicking, boating and fishing are only allowed in the designated areas and these areas are to be kept clean at all times.
- 10.3. Residents must leave open spaces they visit in as clean a condition as that in which they are found. Residents are requested to develop the habit of picking up and disposing of any litter encountered in the open spaces.
- 10.4. No person may cause damage to any object of botanical, palaeontological, zoological, geological, archaeological, historical, educational or other scientific interest or remove seeds or flowers or any part from any plant.
- 10.5. Fauna of any nature may not be chased or trapped in any area, be it by people or by dogs. No person may hunt, maim or kill, disturb, tease or capture any wild animal (the term "animal" refers to any form of vertebrate or invertebrate life) or feed any wild animal, or leave food for such a purpose or keep any wild animal. No person may remove from its natural site, damage or destroy the nest of a bird, reptile, amphibian or invertebrate, or the eggs thereof.
- 10.6. Residents must ensure that declared noxious flora (refer to list at office) are not planted or growing in their gardens.

- 10.7. Vacant stands must be kept cleared on a regular basis to the satisfaction of the WHOA, and if not maintained, the WHOA reserves the right to clear the stand monthly and charge the owner a monthly levy. Owners are further referred to the municipal by-laws relating hereto.
- 10.8. The residents' use of open space areas including but not limited to wilderness areas, equestrian area, recreational areas and the total Estate is entirely at their own risk at all times.
- 10.9. Use of Golf Course shall be in accordance with accepted normal Golf Course rules and etiquette. There are no practice facilities provided and therefore only normal play is acceptable. Disregard of normal rules and etiquette may lead to a ban from use of this facility. It is specifically prohibited to exercise/train dogs on the Golf Course.

11. DAM AND BOATING RULES

- 11.1. No person using any boat upon the Dam may embark thereon or disembark there from except at such points as may be designated by the Management or at a jetty provided for general or private use. The mooring of boats against areas not served by a jetty is expressly prohibited.
- 11.2. No person shall pollute or permit the pollution of the Hartbeespoort Dam by any substance which may in any manner be injurious to any plant or animal or which may in any way be unsightly.
- 11.3. No person shall discard any litter or any article of any nature whatsoever in the Dam.
- 11.4. No person shall be allowed to pump water out of the dam for irrigation purposes.
- 11.5. All boat trailers and boats shall have a Westlake decal for identification purposes which must be displayed at all times. Decals can be bought from the office at minimal cost per annum.
- 11.6. Guest's boats and watercraft shall be allowed subject to issuance of a permit by the Estate Manager prior to entry. Such permit shall be issued only to and at the request of a homeowner at a cost of R150.00 per

permit. The issuance of such permits shall be limited to 15 at any one time and only one per homeowner. Permits shall be valid for a period of 4 (four) days from date of issue.

- 11.7. Any guest's boat shall be stored on the property of the homeowner applying for the permit and not in the harbour area.
- 11.8. Guest watercraft permits shall be carried on the watercraft at all times and shall be produced at the request of any Estate Official.
- 11.9. Should the guest operate the watercraft in a manner not conducive to safety or disturb the peace of the Estate or cause damage to the Estate, the guest and watercraft shall be liable to be removed immediately and with no prior notice.
- 11.10. The no-wake zones shall be adhered to as a safety measure, to reduce noise and to protect the water's edge from erosion. Motor testing is specifically prohibited.
- 11.11. The Hartbeespoort Dam rules and boating etiquette to be followed at all times.
- 11.12. **Launching and docking times and information:**

Summer: October to and including May

- a) Monday to Friday 08h00 to 17h00
The launching and the docking will be by appointment as boating workers do other duties.
- b) Saturday, Sunday and Public holidays 07h00 to 18h00
- c) Lunch 13h00 to 14h00

Winter: June to and including September

- a) Monday to Friday 08h00 to 17h00
The launching and the docking will be by appointment as boating workers do other duties.
- b) Saturday, Sunday and Public Holidays 08h00 to 17h00

Please note: The staff finish at the times mentioned and not later, please be at the launching slipway before closing time or your boat will remain in the water.

- c) Lunch 13h00 – 14h00

No collection/deliveries of boats from/to homes by Westlake employees permitted, unless an exemption certificate is signed by the homeowner. Collections from homes may only be done by prior arrangement with the Estate Manager. Notwithstanding the above, boats launched at the harbour, delivered by the homeowners' own vehicle and boats in the water requiring to be docked shall take precedence.

12. SWIMMING POOLS AND INLAND DAMS

- 12.1. Swimming pools present an obvious danger to non-swimming children, but with many dams, lakes and water features openly accessible, it is recommended that parents take responsibility for their children and fence their property, rather than each pool be fenced.
- 12.2. Pool nets or covers are recommended.
- 12.3. The Estate pool is strictly for the use of owners or their guests and the owners shall be responsible for the behaviour of their guests. The Board of Directors and the WHOA do not accept responsibility for the safety of anyone in the pool area and for this reason non-swimmers or young children should be accompanied by a person who accepts such responsibility.
- 12.4. Do not use the pool to wash off algae or mud either from yourself, bicycles or any other object.

13. SECURITY AND SAFETY

- 13.1. The security guards have a difficult job to perform. They may not be abused under any circumstances. Verbal or other abuse of security staff shall result in a charge being laid with the SAPS for investigation.
- 13.2. Security protocol at the gate must be adhered to at all times.

- 13.3. Every owner with respect to people in their employ must conscientiously enforce the security registration system for permanent workers, temporary workers, and contractor representatives. All workers/representatives must wear clothing that identifies the company they represent.
- 13.4. Every owner must request visitors to adhere to the security protocol and residents are requested to always treat the security personnel in a co-operative and courteous manner. Visitors who treat security staff in a discourteous manner shall be denied entry to the Estate.
- 13.5. Every owner shall ensure that contractors in their employ adhere specifically to the security stipulations of the Builders and or Contractors Code of Conduct.
- 13.6. All attempts at burglary or instances of perimeter incursions must be reported immediately to a member of the security staff and the Estate manager.
- 13.7. Security is an attitude; be aware that you need to enforce and apply security to make it work. Do not hesitate to question suspicious persons. The Directors advise all residents to install a home security system as soon as possible after taking occupation of their homes, and to link the system to the security office at the main gate. The residents to ensure the system is fully functional at all times and should conduct regular tests/simulations.
- 13.8. Should residents purchase burglar systems for their residences, these are required to be compatible with the electronics of the Estate Security System.
- 13.9. The Estate is manned 24 hours a day. All residents, visitors and contractors are required to adhere to the access control procedures at the gate. Details of the access control procedures in force can be obtained from the Estate Management Office.
- 13.10. The security centre at the gatehouse should be advised in advance of the pending arrival of visitors where possible, in particular details relating to vehicle registration numbers and property to be visited. Homeowners will

sign their visitors out on the prescribed access permit upon them leaving the estate.

- 13.11. The Estate will be patrolled on a random basis by security guards.
- 13.12. No firearms to be displayed or carried in public on the Estate at any time, with the exception of security staff and Estate Officials. The discharging of any firearms on the Estate shall be treated a criminal offence and will be reported to the SAPS.
- 13.13. Before any furniture, equipment, boats, cars, food and clothes given by owners to domestic workers etc. can be removed from Westlake; a security gate pass must accompany the person taking the mentioned goods. Gate passes can be obtained from the security office at the main gate during office hours. Goods also may only be removed during said office hours. (07:00 – 17:00)

14. ANIMALS AND PETS

- 14.1. Without the written approval of the WHOA, no person may keep more than two dogs and/or two cats on their property.
- 14.2. No poultry, pigeons, aviaries, wild animals or livestock may be kept on the Estate.
- 14.3. No pets are allowed to roam, except in the areas designated in the Architectural Specifications which is the fenced area of the owner's home.
- 14.4. Pets must be walked on a leash in areas other than in the fenced area.
- 14.5. Should any excrement be deposited in areas other than the fenced area, the immediate removal thereof shall be the responsibility of the owner.
- 14.6. Every pet must wear a collar with a tag indicating the name, telephone number and address of its owner. Stray pets with or without identification tags will be apprehended and impounded. A fine of R500.00 per pet shall be payable for the release of said pets plus transport, veterinarian and other costs of whatsoever nature, incurred during its stay in the captive facility. WHOA and the Estate Manager will not accept any responsibility for the traumatising or injury of such animal during this process.

- 14.7. The WHOA reserves the right to request an owner to remove their pet should it become a nuisance within the Estate.
- 14.8. Dogs are strictly forbidden on the Golf Course and in the Estate dams at all times.
- 14.9. At all times, and particularly at night, pets shall not be allowed to create a disturbance and should not be left unattended.
- 14.10. The natural fauna on the Estate is to be encouraged and must not be chased or killed by pets.
- 14.11. The use of catapults, pellet guns, firearms or traps is prohibited on the Estate. If any resident is found to be discharging a weapon with the purpose of harming or killing any animal, this matter will be dealt with severely by the WHOA.
- 14.12. Under no circumstances will any guests of any home owner, for any reason, be permitted to introduce any domestic or wild animal into the Estate. Visitors who arrive at the gate with pets will be turned away.

15. RESELLING OF PROPERTY

- 15.1. Should an owner wish to sell his property, only an accredited Estate Agent (list available at the management office) may be selected to manage the sale should the services of an agent be utilised. An owner is entitled to sell his property privately.
- 15.2. The accredited agent/owner must ensure that the buyer is informed about, and receives a copy of the Estate Rules, Architectural Specifications and any other administrative regulations applicable at the time.
- 15.3. A clearance certificate must be obtained from the WHOA at a cost determined from time to time prior to any transfer. This clearance certificate is to be obtained over and above the levies, security access, rates and taxes clearance. Should this clearance certificate not be obtained for whatsoever reason, the seller will be liable for any loss/expense the Estate may incur due to the sellers failure to abide by this rule.

- 15.4. Any approvals, indulgences or let granted to the seller (in the case of a resale) in terms of any Class I or Class II rules prior to the time of sale must be communicated to the buyer at the time of purchase or lease, and be included in the clearance certificate issued in 15.3 above, failing which the buyer will have recourse against the seller. It is an express condition of any such approval, indulgence or let that such is granted to an individual not the property, and is not automatically transferable to a new owner.
- 15.5. Acquisitive prescription does not apply to common property and cannot be relied upon by either a seller or purchaser.
- 15.6. The seller of a property in the Estate shall ensure that the sale agreement contains the following clause:-
- 15.6.1. The purchaser acknowledges that he is required upon registration of the property into his name, to become a member of the Westlake Country & Safari Home Owners Association and agrees to do so subject to the Articles and rules of the Association.
- 15.6.2. The seller shall be required to ensure that in addition to all other conditions of title and/or subdivision referred to above the following conditions of title be inserted in the Deed of Transfer in terms of which the purchaser takes title to the property:
- “Every owner of the erf, or any subdivision thereof or any interest therein or any unit thereon, shall become and shall remain a Member of the Westlake Country & Safari Home Owners Association and be subject to its constitution until he ceases to be an owner as aforesaid.
- Neither the Erf nor any subdivision thereof nor any interest therein nor any unit thereon shall be transferred to any person who has not bound himself to the satisfaction of the Association to become a Member of the WHOA.
- The owner of the Erf or any subdivision thereof or any interest therein or any unit thereon, shall not be entitled to transfer the Erf or any subdivision thereof or any interest therein or any unit thereon without a clearance certificate from the WHOA that the provision of the Articles of Association of the WHOA have been complied with.”

The terms WHOA in the aforesaid conditions of title shall mean the Westlake Country & Safari Home Owners Association (Association incorporated not for gain)

In the event of the Registrar of Deeds or WHOA requiring the amendment of such conditions in any manner in order to affect registration of same, the purchaser of same hereby agrees to such amendment. The seller must personally ensure that the buyer is informed about and receives a copy of the Estate Rules, Builders and Contractors Code of Conduct and any other administrative regulations applicable at the time.

- 15.7. Under no circumstances shall the Estate Agent, acting on behalf of the seller, be allowed to misrepresent or allow to be misrepresented the rules and/or conditions of the Estate or the rights attached to an erven. In particular, no false claims are to be made in respect of common property, slip ways and/or jetty rights. Should the Estate Agent be required to confirm any fact with respect to the rules and/or conditions of the Estate or rights attached to an erven, a letter from the Board will be required to support any representations. On no account should the Estate Agent verify any details whatsoever with the Estate Manager, the Estate Manager has no authority to give any details or confirmations in this regard.

16. ENFORCEMENT OF ESTATE RULES

- 16.1. It is the responsibility of, and in the direct interest of every resident of the Estate to ensure that these rules are adhered to by all residents and any deviation and / or violations should be reported in writing to the WHOA or Estate Manager.
- 16.2. The WHOA, its Director's, Officer's, Estate Manager, Security Officer's and employees shall have the authority to implement these rules.
- 16.3. The Directors shall have the right in the event of a breach of a rule by an owner, to take such action against the defaulting owners as they deem fit on behalf of the WHOA, including but not limited to:
- 16.3.1. the remedying of the breach at the defaulting owner's cost; and/or

- 16.3.2. the imposition of a fine as the Directors deem appropriate; and/or
- 16.3.3. the barring of his access to the facilities of the Estate.

17. RIGHT OF APPEAL

- 17.1. Should any owner not agree with the Director's interpretation of a rule, or disagree with the Director's, Estate Manager's, Security Officer's or employee's actions in terms of implementing the rules, he may approach the Board of Directors directly to attempt to resolve the issue in an amicable way.
- 17.2. Should the owner still not be satisfied after consultation with the Board, it will be the owner's responsibility to call a Special General Meeting of the Members to either reverse the action taken by the Director or have the rule amended. This meeting must be called via the Estate Manager. All costs incurred will be for the owners account. A 75% vote of the Members present at the meeting, in person or by proxy provided a quorum is achieved will be required to pass any resolution.

18. NOTICES

Every owner of a property undertakes to notify the WHOA or the Managing Agent of their postal and physical addresses as well as at least one contact telephone number when requested to do so and also to notify the WHOA or Managing Agent of any address changes. Non compliance with this rule may attract a fine of R1 500.00 as well as the costs incurred in establishing such address or contact details.

19. DISCLAIMER

The Westlake Home Owners Association, its Directors, Officers and employees shall not be liable for any loss of life, personal injury, damage to property or personal damages suffered by any person whilst in or on the Estate or any part thereof and from whatsoever cause arising from the use of the Estate, its facilities or the imposition by the Directors, Officers, Estate Manager or employees of any rules of the Estate.

