

## THE CONVEYANCING PROCESS

This is a simplified summary of the conveyancing process for a standard transfer of immovable property. In reality, it can be a complicated process and we are aiming to break it down to assist in your understanding the process. This is the first of three installments and is from the perspective of the transferring attorney. It does not extensively include the role of the Bond Attorney or Bond Cancellation Attorney.

### What is Conveyancing?

Conveyancing is a complex legal process involving multiple role players whereby the Purchaser obtains registered ownership of fixed property. This includes improved and unimproved land, houses, farms, flats (i.e. sectional title transactions), as well as registration of mortgage bonds and other rights involving property, for example usufructs and servitudes. The transfer process starts on the date the Deed of Sale is signed and ends on the date of payment of finances and the delivery of deeds.

### Who is a Conveyancer?

A Conveyancer is a specialised attorney. By law, only Conveyancers can attend to the transfer of immovable property. Conveyancing work is reserved for practicing conveyancers in order to vest them with the responsibility of ensuring that the title to the land cannot be challenged and to maintain a high standard of land registration. Conveyancers are usually assisted by a conveyancing secretary or paralegal as there is a great deal of work that is involved in the process.

### Who appoints the conveyancer?

In the case of property transfers, the Seller is entitled to appoint his own Conveyancer to attend to the transfer. This, however, can be varied by agreement between the Seller and the Purchaser. It is not uncommon for the Seller to allow the Purchaser to nominate a Conveyancer. The Conveyancer is generally nominated in the Deed of Sale.

### The Agreement of Sale

Fixed property can only be sold by way of a written Deed of Sale, which is a contract signed by both Seller and Purchaser (as well as their respective spouses should they be married in community of property or the property is owned jointly).

The majority of sales are brokered by Estate Agents who usually have a standard Deed of Sale that is completed and signed by the Seller and the Purchaser. It is only once the Seller has accepted the Purchaser's offer and signed the Deed of Sale that the Estate Agent will forward the Deed of Sale to the nominated Conveyancer.

Should there be no Estate Agent involved in the transaction, the nominated Conveyancer can draft the Deed of Sale and negotiate the terms and conditions thereof with the respective parties.

Please see the next installment of this article appearing 5 March 2015.

**DingleyAttorneys**  
ATTORNEYS • NOTARIES  
CONVEYANCERS  
TEL: 021 200 0770  
3rd Floor, Waterford House, Waterford Road,  
Diep River  
www.dingley.co.za  
michelle@dingley.co.za

# International recognition for reserve

From page 1

One of them was our skipper, Richard Cannell, and wife Dee Cranswick, in whose home the initial meeting was held about seven years ago. Others included Dalton Gibbs and Jimmy Baigrie.

Arriving on the eastern bank, the highlight of the ceremony was when Deputy Minister of Environmental Affairs Barbara Thomson handed over a Ramsar certificate to Mr Khan.

In her speech, Ms Thompson, said: "We cannot compromise our wetlands and environment in the name of development. Wetlands are our most threatened eco-system globally and we have lost 50% of them through unwise management.

Ms Thompson listed some of the uses of wetlands, including them being sponges soaking up water and releasing it during dry periods, reducing flood damage and being a natural filter to trap viruses and bacteria.

Stephen Granger, manager of the City's major projects, said wetlands are also huge filter systems for water that travels from the city to the ocean.

Acting deputy director general responsible for biodiversity and conservation, Skumsa Mancotywa, said: "God must have been in a good mood when he created this. I didn't know that birds could exist in a sewer treatment works."

Dignitaries were also taken on a drive around the Strandfontein Wastewater Treatment Plant where the ox-wagon-shaped pans were full of flamingos.

Mr Khan said people take time off work to see rare birds that occur here, such as the Baillon's Crake, one of the six birds listed as endangered, or the Little Stint that visits from Russia.

It is not only birds, Mr Khan said. The critically endangered Barber's Ranger (*Kedestes barberae bunta*) butterfly also occurs here. As for plants, a section of Rondevlei was recently ablaze with Cape Flats Erica, also known as whorled heath, Erica verticillata.

This fynbos species gave Heathfield its name but has been extinct in the wild since the early 20th century.

And then there are animals with Brutus, Houdini and Zoro being known as some of the six hippos to escape from Rondevlei. Mr Cannell said there was a wildebeest until a youngster shot it. There have also been ostrich but they drowned.

Ms Mancotywa stressed the user activities of the area which include picnics, walking, bird-watching and flying model aircraft.

"It is also an important area for educational programmes for disadvantaged youth from surrounding communities," she said.

One of these is the Westlake-based Wildlife and Environment Society of South Africa (WESSA). Philippa Huntly, who attended the ceremony said Ramsar status should contribute towards the future conservation and wise use of the wetland sys-



The Nature Reserve's Asieff Khan, receives a Ramsar certificate from the Deputy Minister of Environmental Affairs Barbara Thomson.



All that is needed now is for the water to be dredged says Zeekoevlei activist Richard Cannell.

tem.

Plumstead activist Gavin Lawson described it as an incredible milestone. Part of the steering committee, Mr Lawson said bird club members started talking about it soon after Ramsar was established, in 1971.

Dr Anthony Roberts of the Cape Town Environmental Education Trust (CTEET), based at Westlake, said the value of the FBNR has always been profound for children and communities. "We're delighted to be associated with the nature reserve. With the Ramsar status we now have inter-

national recognition."

Mr Cannell said one the advantages of the area becoming a Ramsar site is that a proposed road can no longer be built through it.

The route was planned to encompass Zeekoevlei, across from where the ceremony was held.

Plans include introducing eland and a second pod of hippos at Strandfontein, dredging the water bodies and ongoing removal of the reeds.

Watch a video of the event on the Bulletin's Facebook page.

## THE CITY OF CAPE TOWN'S APPROVAL OF A 2014/15 ADJUSTMENT BUDGET

Notice is hereby given in terms of regulation 26 of the Municipal Budget and Reporting Regulations, 2008, read with the Local Government: Municipal Systems Act, Act 32 of 2000, and the Local Government: Municipal Finance Management Act, Act 56 of 2003, that the documents relating to the City's 2014/15 adjustment budget, approved at Council on 28 January 2015 are available for perusal on the City of Cape Town's website at [www.capetown.gov.za/en/Budget](http://www.capetown.gov.za/en/Budget).

ACHMATEBRAHIM  
CITY MANAGER  
03/2015



CITY OF CAPE TOWN  
ISIXEKO SASEKAPA  
STAD KAAPSTAD

Making progress possible. Together.

**WONDERING WHAT TO DO WITH ALL YOUR OLD CLOTHING & UNWANTED GOODS?**



**St Luke's Hospice CHARITY SHOPS**

Will collect all your clothing & unwanted items, Monday to Friday

Our shops need crockery, cutlery, pots, pans, linen, curtains, toys, bric-a-brac, books, clothing, furniture, costume jewellery, electrical goods (in working order)

CONTACT  
Richard Mawson or Graham Mouton  
021 762 4121 or 021 762 2148  
[info@stlukes.co.za](mailto:info@stlukes.co.za) or [retail@stlukes.co.za](mailto:retail@stlukes.co.za)