

## Eight Street Level Retail Units

**Units 43 – 50 Westmilne, 5 John Milne Road, Durban**



**WEB#:** 3223897 | [www.in2assets.com](http://www.in2assets.com)

**ADDRESS:** Units 43, 44, 45, 46, 47, 48, 49 & 50 Westmilne, 5 John Milne Road, Durban

**AUCTION VENUE:** The Durban Country Club, Isaiah Ntshangase Road, Durban

**AUCTION DATE & TIME:** 21 October 2014 | 11h00

**VIEWING:** By Appointment

**CONTACT:** Carl Kleinhans | 082 467 5664 | 031 574 7600

**EMAIL:** [ckleinhans@in2assets.com](mailto:ckleinhans@in2assets.com)

**REGISTRATION FEE:** R 50 000-00 (Refundable Bank Guaranteed Cheque)

**AUCTIONEER:** Andrew Miller



The Rules of Auction can be viewed at [www.in2assets.com](http://www.in2assets.com) or at Unit 504, 5th Floor, Strauss Daly Place, 41 Richefond Circle, Ridgeside Office Park, Umhlanga Ridge. Bidders must register to bid and provide original proof of identity and residence on registration. The Rules of Auction contain the registration requirements if you intend to bid on behalf of another person or an entity. The above property is subject to a reserve price and the sale by auction is subject to a right to bid by or on behalf of the owner or auctioneer.

# Contents

## Units 43 – 50 Westmilne, 5 John Milne Road, Durban

CPA LETTER	2
PROPERTY DESCRIPTION	3
PROPERTY LOCATION	6
PICTURE GALLERY	7
ADDITIONAL INFORMATION	9
TERMS AND CONDITIONS	11
ZONING CERTIFICATE	12

**DISCLAIMER:** Whilst all reasonable care has been taken to provide accurate information, neither Strauss Asset Solutions KZN (Pty) Ltd t/a In2assets.com nor the Seller/s guarantee the correctness of the information, provided herein and neither will be held liable for any direct or indirect damages or loss, of whatsoever nature, suffered by any person as a result of errors or omissions in the information provided, whether due to the negligence or otherwise of Strauss Asset Solutions KZN (Pty) Ltd t/a In2assets.com or the Sellers or any other person. The Consumer Protection Regulations as well as the Rules of Auction can be viewed at [www.In2assets.com](http://www.In2assets.com) or at Unit 504, 5th Floor, Strauss Daly Place, 41 Richefond Circle, Ridgeside Office Park, Umhlanga Ridge. Bidders must register to bid and provide original proof of identity and residence on registration.

# CPA Letter

**Units 43 – 50 Westmilne, 5 John Milne Road, Durban**

In light of the Consumer Protection Act which came into effect on 1 April 2011, In2Assets would like to offer you, our valued client, the opportunity to pre-register as a bidder prior to the auction day.

South African consumers are now amongst the best protected consumers in the world and the purpose of the Act is to promote fair business practices and to protect consumers against deceptive, misleading, unfair or fraudulent conduct.

It is compulsory that all Bidders are required to present the following documentation in order to register at our auctions (without which registration cannot take place):

1. SA Identity Document;
2. Utility bill addressed to your physical address (not older than 3 months);
3. In the event of you bidding on behalf of a company, trust or close corporation in your capacity as director, trustee or member respectively, you are required to submit a letter on the Entity's official letterhead authorizing you to bid, sign all necessary documents and effect transfer on behalf of the Entity which must be accompanied by a certified copy of the resolution by the directors, trustees or members of the entity authorizing you to do so.
4. A special Power of Attorney is required should you be bidding on behalf of another person which must expressly authorize you to bid on behalf of that person and must include a certified copy of that person's SA Identity Document and proof of that person's residential address not being older than 3 months.
5. Copy of Entity's FICA Documents
6. Vat Registration Certificate
7. Income Tax Reference Number and proof of marital status

We would like to offer you an opportunity to register prior to the auction in order to avoid the time-consuming registration process as we endeavour to make this process as hassle free and efficient as possible.

Should you require any further assistance or have any questions or queries, please do not hesitate to contact us.

# Property Description

## Units 43 – 50 Westmilne, 5 John Milne Road, Durban

### General

**Property Address:** Sections 43-50 Westmilne, 5 John Milne Road  
**Township & Province:** Durban, KwaZulu Natal

### Title deed information – Property 1

**Title Deed Number:** ST37090/2011  
**Registered Owner:** J B Family Trust  
**Section No & Scheme Name:** Unit 43 SS Westmilne  
**Scheme Number:** 32/1987  
**Unit Size:** 105 m<sup>2</sup>

### Title deed information – Property 2

**Title Deed Number:** ST37090/2011  
**Registered Owner:** J B Family Trust  
**Section No & Scheme Name:** Unit 44 SS Westmilne  
**Scheme Number:** 32/1987  
**Unit Size:** 91 m<sup>2</sup>

### Title deed information – Property 3

**Title Deed Number:** ST37090/2011  
**Registered Owner:** J B Family Trust  
**Section No & Scheme Name:** Unit 45 SS Westmilne  
**Scheme Number:** 32/1987  
**Unit Size:** 51 m<sup>2</sup>

### Title deed information – Property 4

**Title Deed Number:** ST37090/2011  
**Registered Owner:** J B Family Trust  
**Section No & Scheme Name:** Unit 46 SS Westmilne  
**Scheme Number:** 32/1987  
**Unit Size:** 66 m<sup>2</sup>

# Property Description (continued)

## Units 43 – 50 Westmilne, 5 John Milne Road, Durban

### Title deed information – Property 5

<b>Title Deed Number:</b>	ST37090/2011
<b>Registered Owner:</b>	J B Family Trust
<b>Section No &amp; Scheme Name:</b>	Unit 47 SS Westmilne
<b>Scheme Number:</b>	32/1987
<b>Unit Size:</b>	47 m <sup>2</sup>

### Title deed information – Property 6

<b>Title Deed Number:</b>	ST37090/2011
<b>Registered Owner:</b>	J B Family Trust
<b>Section No &amp; Scheme Name:</b>	Unit 48 SS Westmilne
<b>Scheme Number:</b>	32/1987
<b>Unit Size:</b>	46 m <sup>2</sup>

### Title deed information – Property 7

<b>Title Deed Number:</b>	ST37090/2011
<b>Registered Owner:</b>	J B Family Trust
<b>Section No &amp; Scheme Name:</b>	Unit 49 SS Westmilne
<b>Scheme Number:</b>	32/1987
<b>Unit Size:</b>	46 m <sup>2</sup>

### Title deed information – Property 8

<b>Title Deed Number:</b>	ST37090/2011
<b>Registered Owner:</b>	J B Family Trust
<b>Section No &amp; Scheme Name:</b>	Unit 50 SS Westmilne
<b>Scheme Number:</b>	32/1987
<b>Unit Size:</b>	45 m <sup>2</sup>



# Property Description (continued)

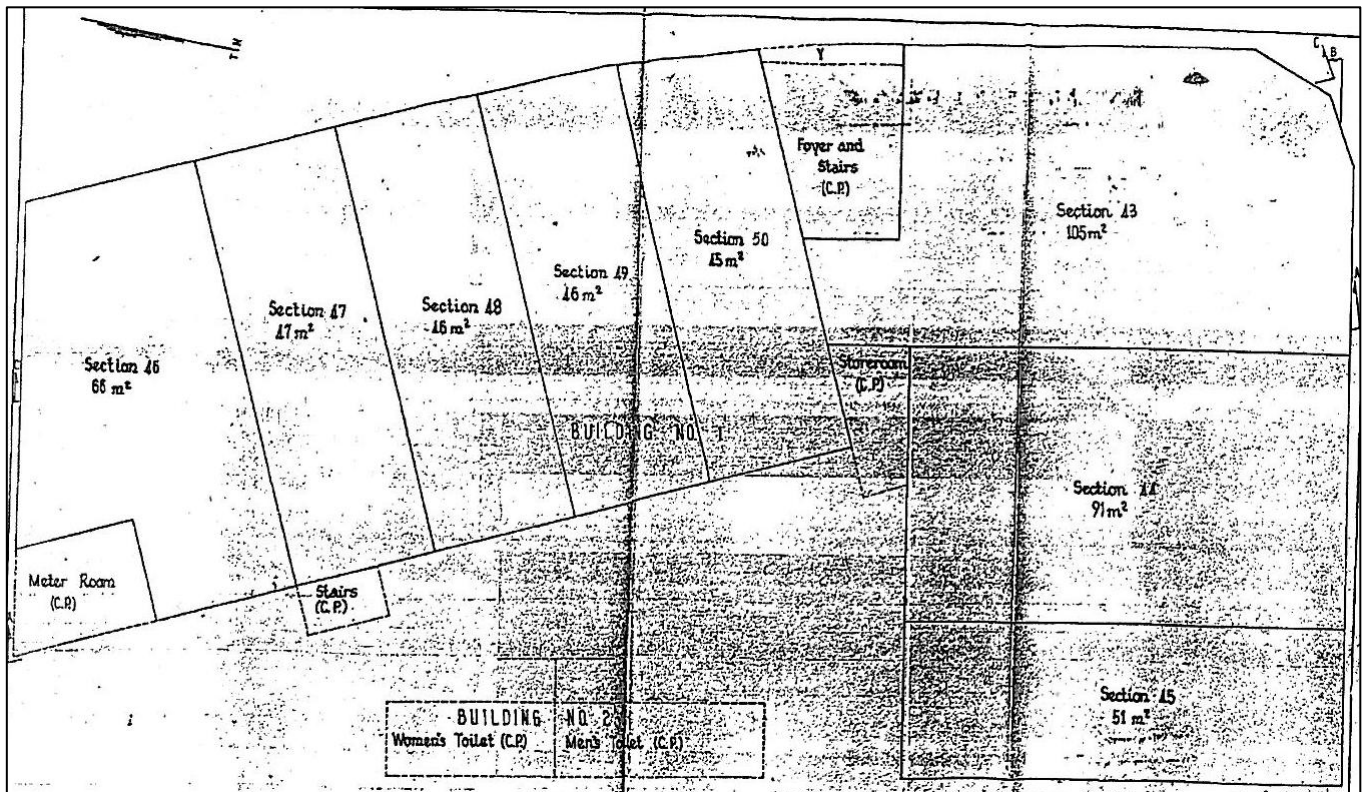
## Units 43 – 50 Westmilne, 5 John Milne Road, Durban

### Municipal information

The local authority in which the property is situated is the eThekweni Municipality. According to the permitted zoning scheme the property is zoned as follows:

### Town Planning Information

<b>Zoning:</b>	General Business
<b>F.A.R.:</b>	8.0 (of which 4.0 may be for residential)
<b>Coverage:</b>	N/A
<b>Height:</b>	59 degree angle from opposite side of street
<b>Building Lines:</b>	Front – 4.5m from center line of road Side & Rear – NBR
<b>Parking:</b>	Depends on use



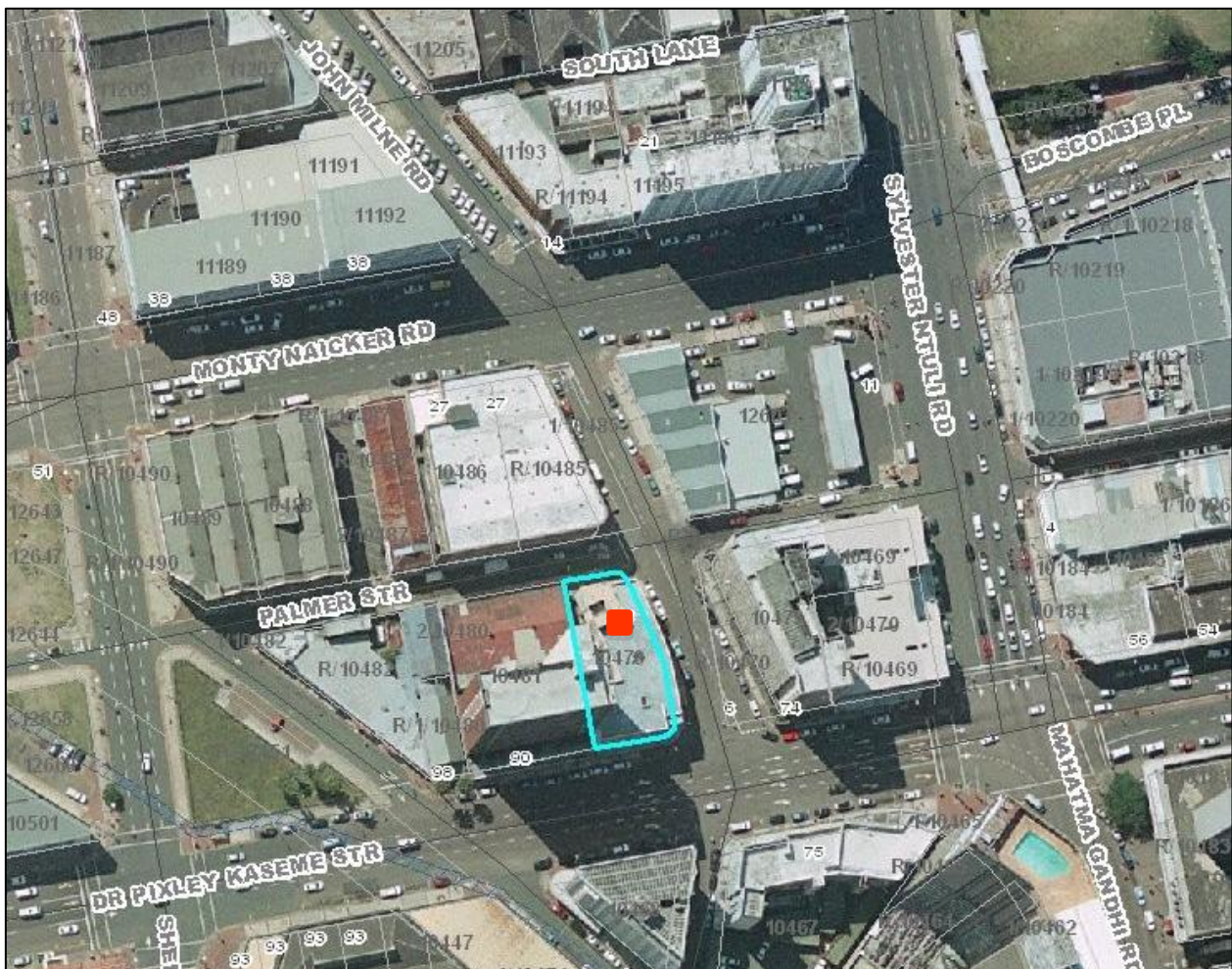
# Property Location

## Units 43 – 50 Westmilne, 5 John Milne Road, Durban

The subject property is located on the eastern periphery of the Durban Central Business District and within the greater Durban City precinct, as per eThekweni's new Urban Development zone (UDZ). This is one of nine new precincts demarcated within the greater central city, together forming the UDZ. The aim of creating this zone is to stimulate new investment and urban regeneration to the central parts of the eThekweni city, through tax saving incentives applicable to new development or building restoration.

The subject property fronts onto Dr Pixley Kaseme Street (West Street) and John Milne Road. John Milne Road originates from Sylvester Ntuli Road (Brickhill Road) carrying traffic south. The property is located more specifically within the commercial bounded by Dr Pixley Kaseme Street (West Street), Palmer Street and John Milne Street. The neighbourhood comprises predominantly commercial properties colloquially known as "motortown" and popular with the motor trade industry.

The property is located within the Durban CBD and enjoys a wide range of amenities including financial institutions, municipal and legal offices, transport facilities in the form of municipal buses and private taxis.



**SUBJECT SCHEME:** SS Westmilne, 5 John Milne Road, Durban



# Picture Gallery

Units 43 – 50 Westmilne, 5 John Milne Road, Durban





# Picture Gallery (continued)

Units 43 – 50 Westmilne, 5 John Milne Road, Durban



# Additional Information

## Units 43 – 50 Westmilne, 5 John Milne Road, Durban

### Primary use

The subject units form part of a sectional title scheme known as Westmilne, a four storey building with ground floor retail and the upper floors as residential components. The eight retail units on auction are positioned on the ground floor and enjoys exposure from high volumes of vehicular and pedestrian traffic.

All eight units comprises of open plan retail outlets with a kitchenette at the rear of each unit. The units are secured by security gates and sliding/pedestrian glass doors. Currently, the units that are occupied have been revamped to the tenant's requirements and specs.

### Lease Details

Shop No.	Section No.	Extent	PQ	Tenant Name	Monthly Rental (Excl. Vat)	Annual Rental (Excl. Vat)	Expiry Date
1	45	51	0.027	Adenew Doelamo	R 6,655.00	R 79,860.00	31/10/2016
2	44	91	0.048	Ruben Nweke	R 6,600.00	R 79,200.00	Monthly
3	44			A Matilda	R 7,260.00	R 87,120.00	Monthly
4	43	105	0.055	Bhurani Mhina	R 7,260.00	R 87,120.00	30/09/2015
5	43			C S Cele	R 6,050.00	R 72,600.00	31/10/2014
6	50	45	0.024	Vacant	R 0.00	R 0.00	N/A
7	49	46	0.024	Z L Mulune	R 7,532.80	R 90,393.60	31/03/2016
8	48	46	0.024	Unique Touch/Kanda	R 5,307.00	R 63,684.00	28/02/2015
9	47	47	0.028	N P Zulu	R 7,150.00	R 85,800.00	30/09/2016
10	46	66	0.035	Durban Cyberspace	R 7,865.00	R 94,380.00	Monthly
		<b>497</b>	<b>0.265</b>		<b>R 61,679.80</b>	<b>R 740,157.60</b>	

Comments: - Annual escalation of 10 % applicable.

- Gross Annual income as per above is R740,157.60
- The above information has been confirmed by the Sellers.
- The units have own water and electricity meters, which the landlord is responsible for.
- The tenants are issued their bills according to consumption but the landlord is responsible for consumption for the common areas.

# Additional Information (continued)

## Units 43 – 50 Westmilne, 5 John Milne Road, Durban

### Expenses

Shop No.	Section No.	Extent	PQ	Tenant Name	Monthly Rates	Monthly Levies
1	45	51	0.027	Adenew Doelamo	R 630.93	R 1,046.00
2	44	91	0.048	Ruben Nweke	R 1,025.26	R 1,867.28
3	44			A Matilda	R 0.00	R 0.00
4	43	105	0.055	Bhurani Mhina	R 1,163.28	R 2,154.55
5	43			C S Cele	R 0.00	R 0.00
6	50	45	0.024	Vacant	R 571.78	R 923.38
7	49	46	0.024	Z L Mulune	R 591.50	R 943.90
8	48	46	0.024	Unique Touch/Kanda	R 591.50	R 943.90
9	47	47	0.028	N P Zulu	R 591.50	R 964.42
10	46	66	0.035	Durban Cyberspace	R 788.67	R 1,354.29
		<b>497</b>	<b>0.265</b>		<b>R 5,954.42</b>	<b>R10 198.22</b>

Comments: - The above information has been confirmed by the Sellers.

- The seller has advised us that they are responsible for the payment of the rates and levies.

- The units have own water and electricity meters, which the landlord is responsible for.

- The tenants are issued their bills according to consumption but the landlord is responsible for consumption for the common areas.

### Vat Status

The Seller is Vat Registered – Option to Zero Rate



# Terms and Conditions

**Units 43 – 50 Westmilne, 5 John Milne Road, Durban**

**If you are the successful bidder kindly note the following:**

- 5% deposit is payable by the Purchaser on the fall of the hammer
- 10% Auctioneers Commission plus Vat is payable by the Purchaser on the fall of the hammer
- 24 Hour Confirmation period – 22 October 2014
- 45 Day Guarantee Period
- Possession on Registration of Transfer
- Electrical, Entomologist and Gas Certificates for the Sellers account

**Kindly note for EFT & Cheque payments, the following applies:**

**Cheques** need to be made out to Strauss Asset Solutions KZN (Pty) Ltd

**EFT Payments**, our trust account banking details are as follows:

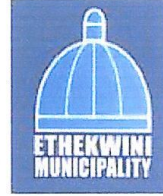
Bank : Standard Bank  
Account Name : Strauss Asset Solutions (KZN) Pty Ltd  
Account No. : 050022032  
Branch Name : Kingsmead  
Branch code : 040026

# Zoning Certificate

**Units 43 – 50 Westmilne, 5 John Milne Road, Durban**

**ETHEKWINI MUNICIPALITY**  
Development Planning, Environment & Management Unit

166 K. E. Masinga  
Road



**Durban Town Planning Scheme in course of Preparation**  
**Planning Certificate**

**SITE PARTICULARS: TO BE COMPILED BY ENQUIRER**

Name of Enquirer: S Bikaroo

Tel No:031 5747600

Date:17-09-2014

SITE PARTICULARS: Erf 10478 Durban

SITE ADDRESS : 5 John Milne Road

NET SITE AREA: 753sqm

**GENERAL LAND USE MANAGEMENT INFORMATION**

ZONING : GENERAL BUSINESS

FLOOR AREA RATIO : 8.0 ( of which 4,0 may be for residential )

COVERAGE : N/A

MIN.BUILDING LINE : 4.5m from the centre line of road

MIN SIDE SPACE : NBR

MIN REAR SPACE : NBR

MAX.PERMITTED HEIGHT : 59 degree angle from the opposite side of street (max – 30m) or 110m with a 5.0m setback at 15.0m

PARKING REQUIREMENTS : No minimum parking requirement as per Appendix 6

MAX. NO. OF UNITS : N/A

**Permitted/ special consent uses : see attached**

**Additional Remarks:**

Note :

**DISCLAIMER:**

The controls given above are those specific to the land use zone in which the property falls however attention is drawn to the Town Planning Scheme Regulations where, in certain cases, additional requirements can be called for at the discretion of the Head: Development Planning Environment and Management and no information recorded above can be taken as comprehensive. Specific detailed information can only be given in respect of an application after it has been lodged showing the detailed proposals of the development.

Note 1: This information has been compiled at the above date, but as the Town Planning Scheme is in the course of preparation, it may be amended from time to time.

Note 2: The information given is in respect of Land Use Management requirements only and must not be construed as indicating requirements in terms of any By-Laws, the National Building Regulations, Environmental Legislation or any restrictive conditions in Title Deeds.

Note 3: For further information please contact : D Chetty

Tel no : 031-3117307

Information Compiled By: .....

Checked By: .....

Certificate Fee: (2009360 1348) : R47.00

# Zoning Certificate (continued)

## Units 43 – 50 Westmilne, 5 John Milne Road, Durban

-100

APPENDIX 1

1. USE ZONE	2. SYMBOL ON MAP	3. PURPOSES FOR WHICH LAND MAY BE USED OR FOR WHICH BUILDINGS MAY BE ERRECTED AND USED	4. PURPOSES FOR WHICH LAND MAY BE USED OR FOR WHICH BUILDINGS MAY BE ERRECTED AND USED ONLY WITH THE SPECIAL CONSENT OF THE COUNCIL	5. PURPOSES FOR WHICH LAND MAY NOT BE USED OR FOR WHICH BUILDINGS MAY NOT BE ERRECTED AND USED
14. General Business (Central Area)	Dark Blue White Hatch	Business premises (excluding those referred to in Column 4), Dwelling Houses, Domestic Staff Accommodation, Residential Building, Shop, Restaurant, Fast Food Outlet, Licensed Hotel, Place of Assembly, Place of Amusement, Institution, Place of Instruction, Creche, Industrial Building (excluding those referred to in Columns 4 and 5), Social Hall, Totalleator Depot.	Action Sports Bar, Adult Premises, Bath House, Bottle Store, Casho, Escort Agency, Funeral Parlour, Massage Parlour, Place of Worship, Night Club, Parking Garage except as is provided in sub-clause 6(23), Petrol Service Station, Panel Beating, Shelter, Spray Painting, Tavern, Work House, other uses not authorised in terms of clause 6 bis.	Brothel, Noxious Industrial Building and other uses not under Columns 3 and 4.
14 bis. General Business 2	Dark Blue Cross Hatch	Business premises (excluding those referred to in Column 4), Shop, Fast Food Outlet, Light Industrial Building (excluding those referred to in Columns 4 and 5), Dwelling House, Domestic Staff Accommodation, Maisonette, Residential Building.	Action Sports Bar, Adult Premises, Bath House, Bottle Store, Casho, Escort Agency, Funeral Parlour, Massage Parlour, Night Club, Shelter, Tavern, Work House, Petrol Service Station, Totalisator Depot, Place of Instruction, Industrial Building, Panel Beating and Spray Painting, Special Building or use, other uses not under Columns 3 and 5, any other use authorised in terms of clause 6 bis.	Brothel, Noxious Industry and other uses not under Columns 3 and 4.
14 ter. General Business 3	Dark Blue Cross Bands	As In General Business (Central Area) Zone.	As In General Business (Central Area) Zone.	Other uses not under Columns 3 and 4.
14 quat. General Business 4	Dark Blue Hatch	As In General Business (Central Area) Zone.	As In General Business (Central Area) Zone.	Other uses not under Columns 3 and 4.

\* 5/76 (27/09/76); 5/83 (24/10/83); 1/91 (04/02/81); 2/91 (18/03/91); 1/92 (03/02/92); 5/96 (14/06/96); 2/05 (26/04/2005); 01/09



# OUR FOOTPRINT

## **Durban**

Unit 504, 5th Floor,  
Strauss Daly Place,  
41 Richefond Circle,  
Ridgeside Office Park,  
Umhlanga Ridge

## **Johannesburg**

10th floor World Trade Centre,  
Green Park Building, Corner West Road  
South & Lower Road  
Morningside  
Sandton

## **Bloemfontein**

104 Kellner Street  
Westdene

## **Cape Town**

15th Floor, The Terraces  
34 Bree Street

## **Port Elizabeth**

57 Pickering Street  
Newton Park

## **Pretoria**

Centaur House  
38 Ingersol Street  
Lynnwood Glen

