



28 May 2009

Dear Owner

### ACCESS TO BUILDING SITES

Please be advised that numerous dwelling houses are being constructed at present on various properties within Langebaan Country Estate. Many contractors, workers, artisans, suppliers and service providers are visiting the Estate and attending to the various building sites on a daily basis.

Arising out of the need to comply with the statutory Health & Safety Act, it has become critically important to take measures to protect your person and property, and to protect the building contractors, their employees, agents, suppliers and consultants, as well as the Developer and the Langebaan Country Estate Owners' Association. To this end we wish to record and confirm the following:

1. You, the registered owner of the property, handed vacant occupation and possession of your property to your building contractor prior to commencement of the building work.
2. Your building contractor therefore is in control of your property, and bears the risk of losses, damages and injuries sustained at the building site on your property.
3. Your building contractor is legally obliged to comply with all health and safety regulations imposed in terms of legislation, and by the local authority, the Developer and the Langebaan Country Estate Owners' Association from time to time.
4. In light of the above we hereby notify you that you may not have access to your property and the building work thereon, unless you comply with the following terms and conditions :
  - 4.1 Prior written or telephonic arrangements must be made with a duly authorised manager of your building contractor to visit your property;
  - 4.2 You shall only visit your property and the building works thereon in the presence of and under the supervision of a duly authorised manager or employee of your building contractor;
  - 4.3 You shall meet such duly authorised manager or employee of your building contractor at the site office of your building contractor, and such person shall accompany you to your property and the building work thereon, and remain present until you leave the building site;

Langebaan Country Estate Joint Venture

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- 4.4 You shall be required to wear all safety equipment issued to you by your building contractor (including hard hats, etc.);
- 4.5 You shall wear an identification card at all times.
5. Should you refuse, fail or neglect to comply with the above terms and conditions, or should you visit your property and the building works thereon after hours, on weekends or public holidays (when no contractors are on site) the security provider of the Estate (ADT Security) shall be instructed to remove you from the building site. In addition the Developer shall impose a fine of R5 000.00 on you, which fine is payable to the Developer within seven (7) days after receipt thereof.
6. Should you refuse, fail or neglect to pay the fine of R5 000.00 timeously as aforesaid, all building work on your property shall be suspended. Should the building work be suspended as aforesaid, you shall be liable for payment to the contractor of an amount of R25 000.00 or an amount equal to 5% of the balance owing in respect of the contract sum as a re-commencement fee, which amount shall be paid to the contractor prior to the re-commencement of the building works.
7. By your signature hereto, you hereby indemnify and shall keep indemnified at all times your building contractor, the Developer and the Langebaan Country Estate Home Owner's Association, jointly and severally, against any losses and damages suffered, and injury/ies sustained during any visit by you to your property and the building work thereon.

We kindly request that you complete and sign the endorsement at the bottom of this letter, as confirmation that you are bound to the abovementioned terms, conditions, safety measures and indemnity.

Please return this letter and the endorsement bearing your original signature to our above address at your earliest convenience.

Yours faithfully

**LANGEBAAAN COUNTRY ESTATE JOINT VENTURE**

**CP SCOTT**  
CEO



**ENDORSEMENT / ACCEPTANCE**

I/We \_\_\_\_\_ and \_\_\_\_\_, the registered owner/s of Erf \_\_\_\_\_ Langebaan, do hereby acknowledge, confirm, agree and record that I/we are bound by the terms, conditions, safety measures and indemnity contained hereinabove, and that I/we understand the legal and contractual implications thereof.

Signed at \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_.

\_\_\_\_\_  
\_\_\_\_\_