

LIVE & ON-LINE VIA "ZOOM" AUCTION

**ON AUCTION**

# 1 BEDROOM FLAT IN DURBAN CBD



**27 NOVEMBER 2024 @ 11:00 AM**

**AUCTION VENUE: THE OYSTER BOX HOTEL - 2 LIGHTHOUSE ROAD,  
UMHLANGA ROCKS, KWAZULU-NATAL**

**SECTION 301 SS THE HIMALAYA,  
273 MAUD LANE, DURBAN CBD**

**ANDREW GIDDY: 082 601 9278 | 031 579 4403 | [www.ianwyles.co.za](http://www.ianwyles.co.za)**

**Viewing: By Appointment only**

#### Terms & Conditions

Please note that in order to be approved for bidding, you are required to send us: Proof of Payment & Original Proof of FICA Documents.

R 50 000.00 Refundable Registration Deposit by EFT/ Cash must be paid. All bids are **exclusive of Commission + VAT**. Ian Wyles Auctioneers may bid up to reserve on behalf of the sellers. The above is subject to change without prior notification.

**Auctioneer: Ian Wyles**

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## Disclaimer

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# TERMS & CONDITIONS

## The Property Terms

- **5% Deposit of bid price payable by The Purchaser on the fall of the hammer**
- **10% Auctioneer's Commission plus VAT payable by the Purchaser on the fall of the hammer**
- **14 Days Confirmation Period**
- **45 Day Guarantee Period from confirmation of sale by the Seller**
- **Possession & Occupation of Property is on Registration of Transfer**
- **Electrical, Entomologist and Gas Compliance Certificate for the Purchaser's account (including electric fencing), if applicable**

## Banking Details

<b>Name of Bank:</b>	<b>ABSA Bank Limited</b>
<b>Name of Account:</b>	<b>Ian Wyles Auctioneers and Appraisers (PTY) LTD (Property Practitioners Regulatory Authority Approved Trust Account)</b>
<b>Account Number:</b>	<b>40-9642-2381</b>
<b>Branch Name:</b>	<b>ABSA Bank Durban North</b>
<b>Swift Code:</b>	<b>ABSA ZA JJ</b>
<b>Branch Code:</b>	<b>632005</b>
<b>Reference:</b>	<b>Your Name and Property Address</b>

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# LOCALITY

The property falls within the residential precinct for the Inner City and hence comprises predominantly blocks of residential flats. The property is conveniently located with easy access to the commercial area of Durban's city.

It is also within walking distance of the Victoria Embankment and lies in close proximity to City Hospital, Durban University of Technology, Durban ICC and all amenities.

## 273 Maud Lane, Durban CBD



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# PROPERTY INFORMATION

## General

**Property Address:** Section 301 SS Himalaya, 273 Maud Lane, Durban

## Title Deed Information

**Title Deed Description:** Section 301 SS Himalaya

**Extent:** 46 m<sup>2</sup>

**Title Deed Number:** ST58659/2008

## Municipal Information

**Zoning:** General Business – Central Area

## General Comments

The subject property is in good condition. Please note that we have not undertaken a structural survey, nor have we arranged for tests of inspections of the service installations.

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# ADDITIONAL INFORMATION

Fully tiled and fitted unit in The Himalaya, close to City Hospital and all amenities, places of worship, shops etc. The Himalaya is a safe and secure building which is well maintained and located on both taxi and bus routes.

The apartment comprises:

- 1-bedroom with bathroom
- Open plan living area
- Fitted kitchen with 2 plate fitted stove, extractor and granite countertops
- Prepaid Electricity
- Security personnel on duty 24/7, access disc controlled and CCTV for peace of mind
- 1 – exclusive use parking bay

## Expenses

Monthly Rates: R316.63  
Monthly Levies: R1 750.00

## VAT Status

The Seller is a VAT Vendor – VAT Applicable over and above the purchase price.

## Lease/Occupancy

The property is currently tenanted, until 1<sup>st</sup> May 2025. With a monthly rental income of R4 750.00 and an additional charge of R450.00 for the use of the exclusive use parking bay.

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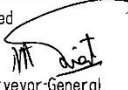

# PICTURE GALLERY



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# SECTIONAL TITLE PLANS

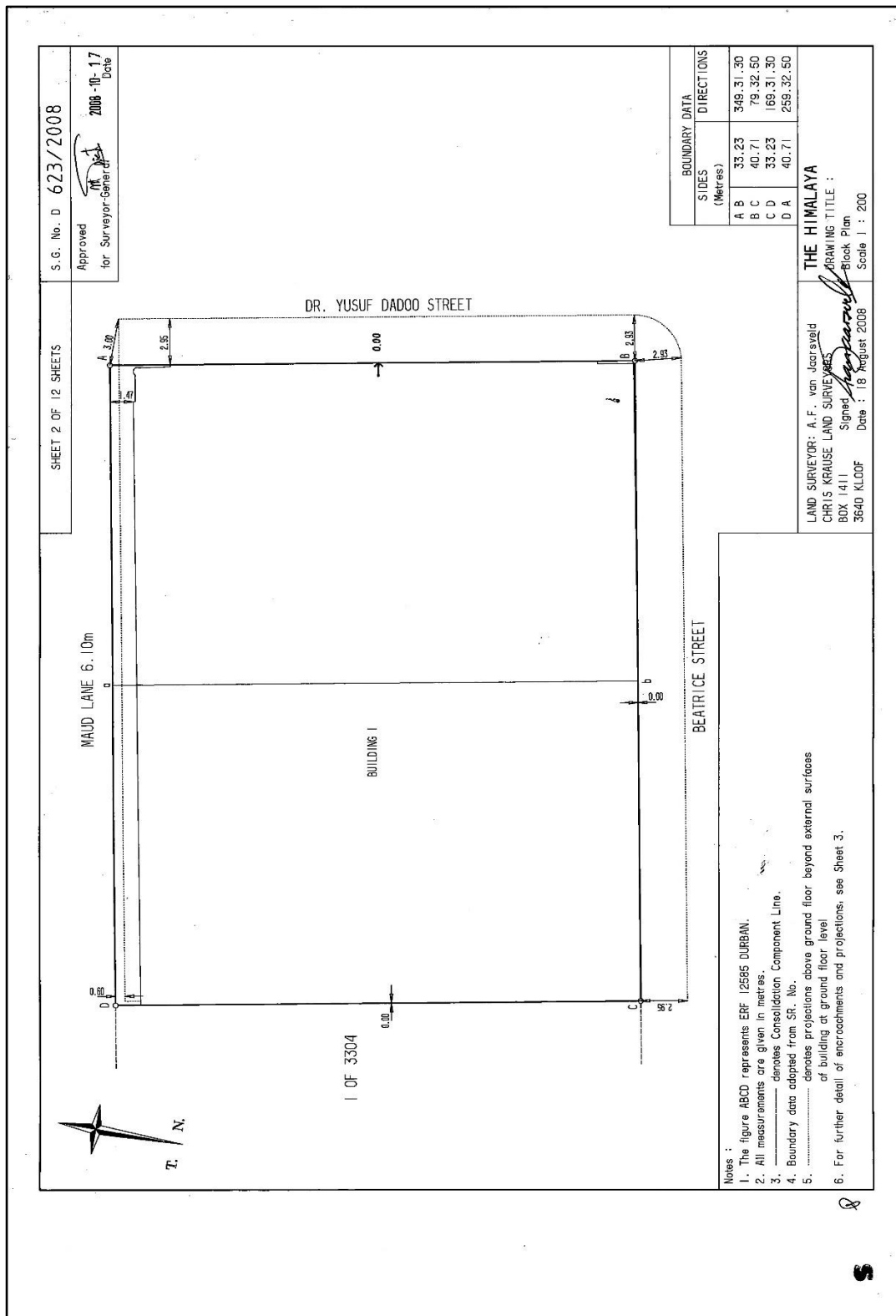
SECTIONAL PLAN No. SS <u>787/2008</u>	SHEET 1	S.G. No. D <u>623/2008</u>
Registered at Pietermaritzburg	OF	Approved 
Registrar of Deeds Date : <u>2008.12.17</u>	12 SHEETS	for Surveyor-General Date : <u>2008-10-17</u>
NAME OF SCHEME :	THE HIMALAYA	
DESCRIPTION OF LAND ACCORDING TO DIAGRAM :	ERF 12585 DURBAN situate in the eThekweni Municipality Registration Division FU Province of KwaZulu-Natal, in extent 1350 square metres	
DIAGRAM No.	S.G. No. 1961/2008	
NAME OF LOCAL AUTHORITY	eThekweni Municipality	
DESCRIPTION OF BUILDINGS	One Building, namely :- a) Building 1 comprising Sections 1, 101-120, 201-221, 301-320, 401-420, 501-520, 601-606 and Common Property	
ENCROACHMENTS ON THE LAND	NIL	
<p>CERTIFICATE</p> <p>I, Adriaan Frederik van Jaarsveld, hereby certify that I have prepared sheets 1 - 12 inclusive of this Sectional Plan from survey in accordance with the provisions of the Sectional Titles Act 95 of 1986 and the regulations promulgated thereunder.</p> <p>Date : 18 August 2008 Registration No. PLS 1125-D</p> <p>Signed  Land Surveyor Address : CHRIS KRAUSE LAND SURVEYORS BOX 1411 3640 KLOOF</p>		
SURVEY RECORDS No. D 623/2008	COMPILATION : DURBAN Q41	

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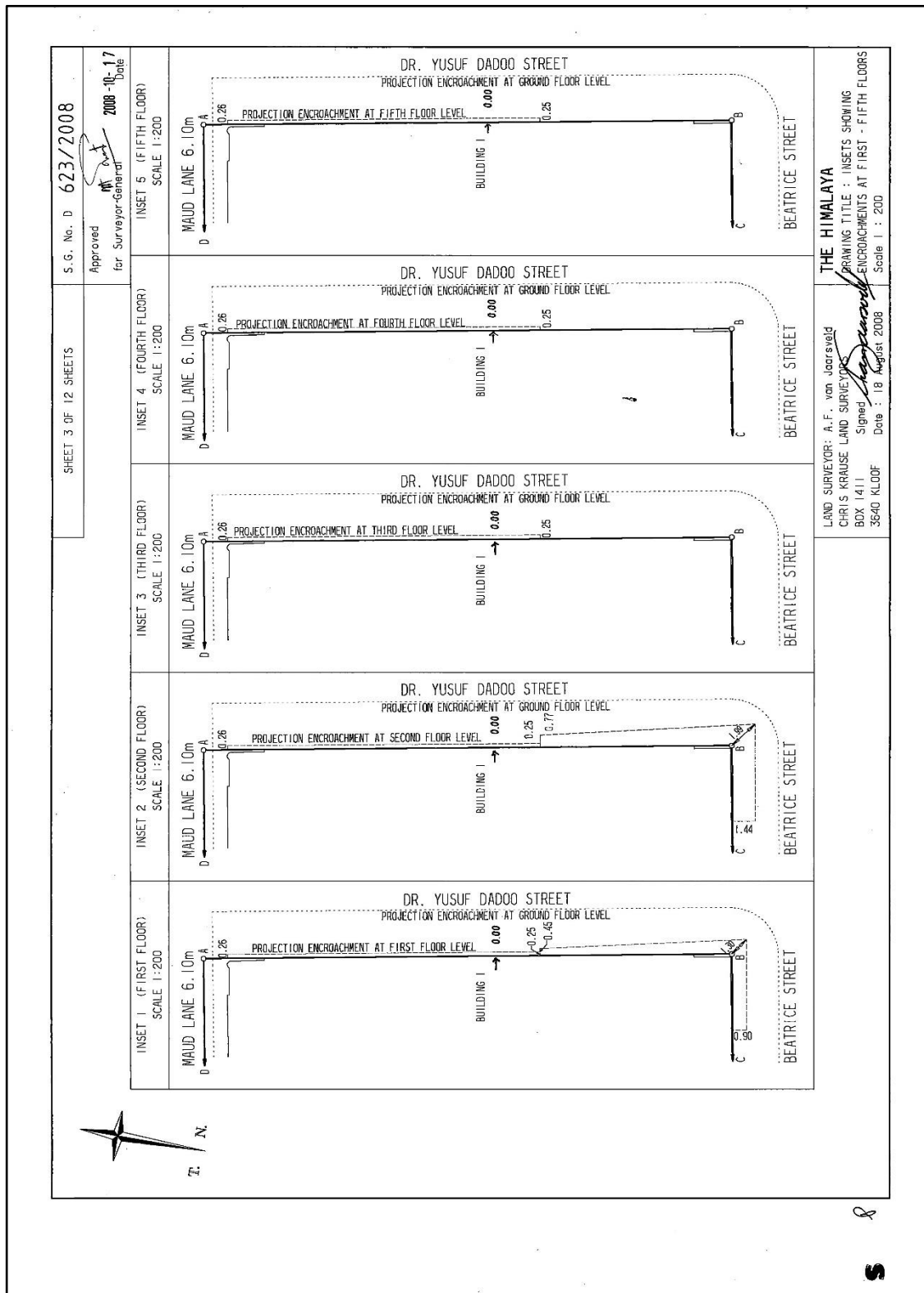
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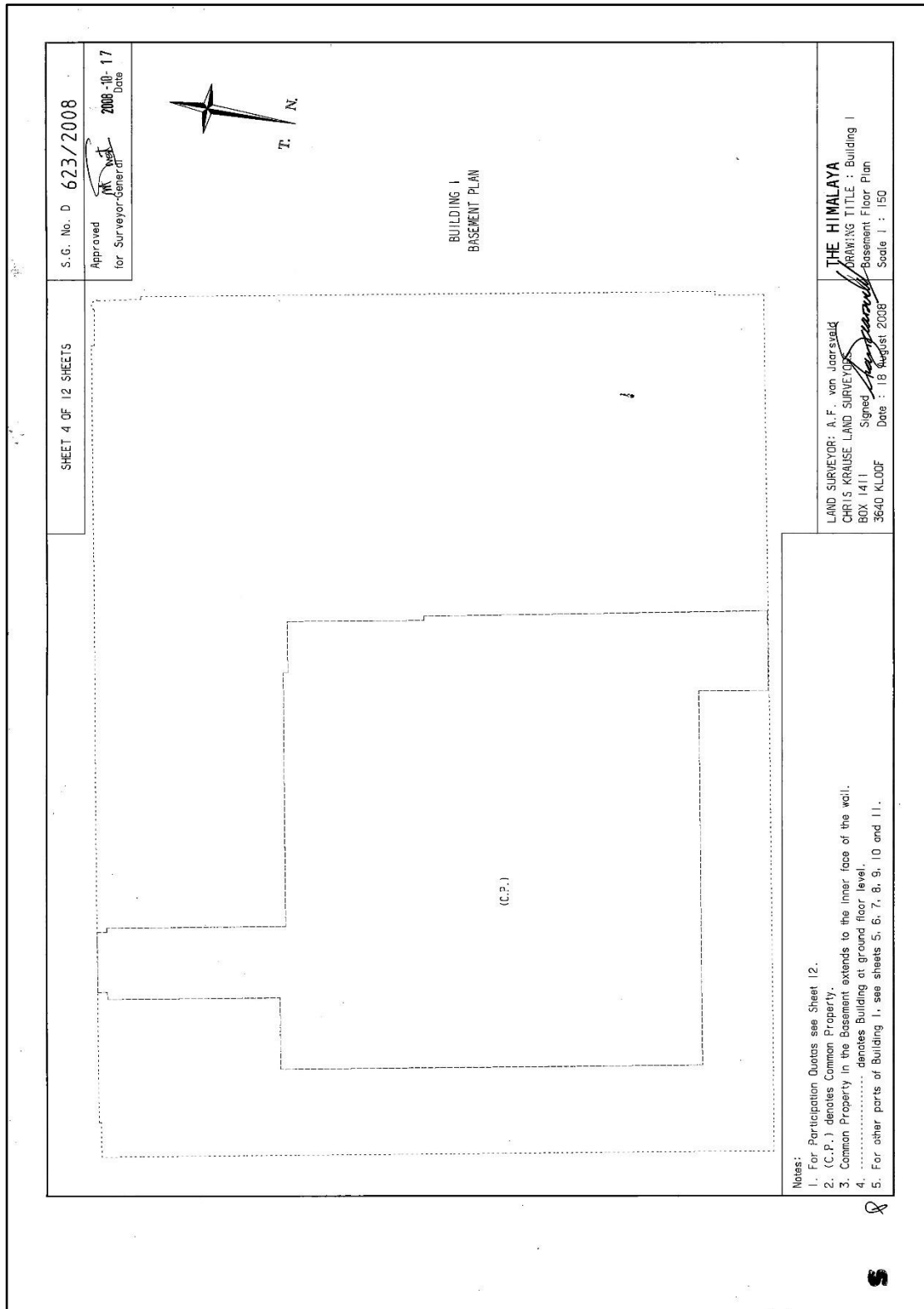
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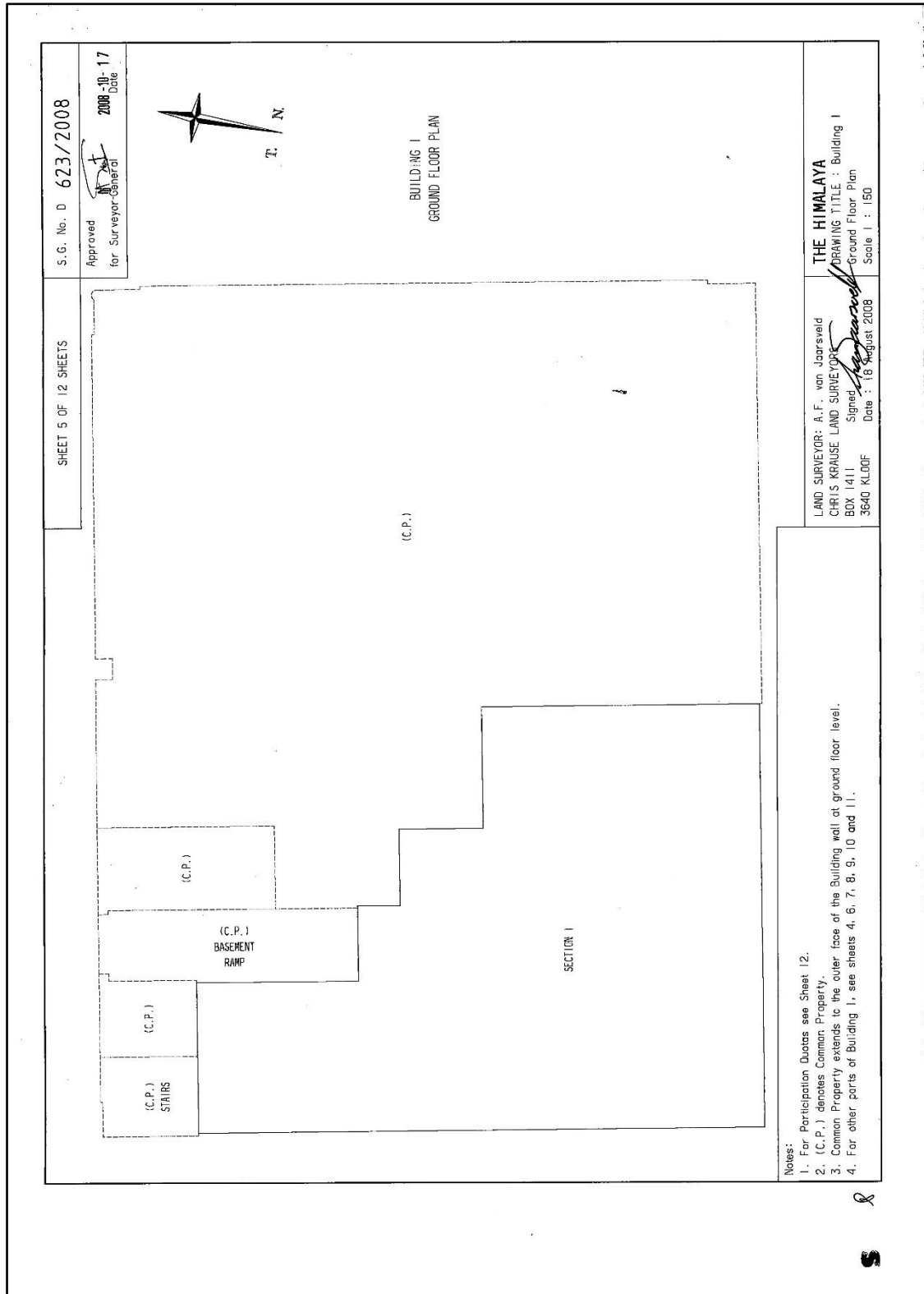
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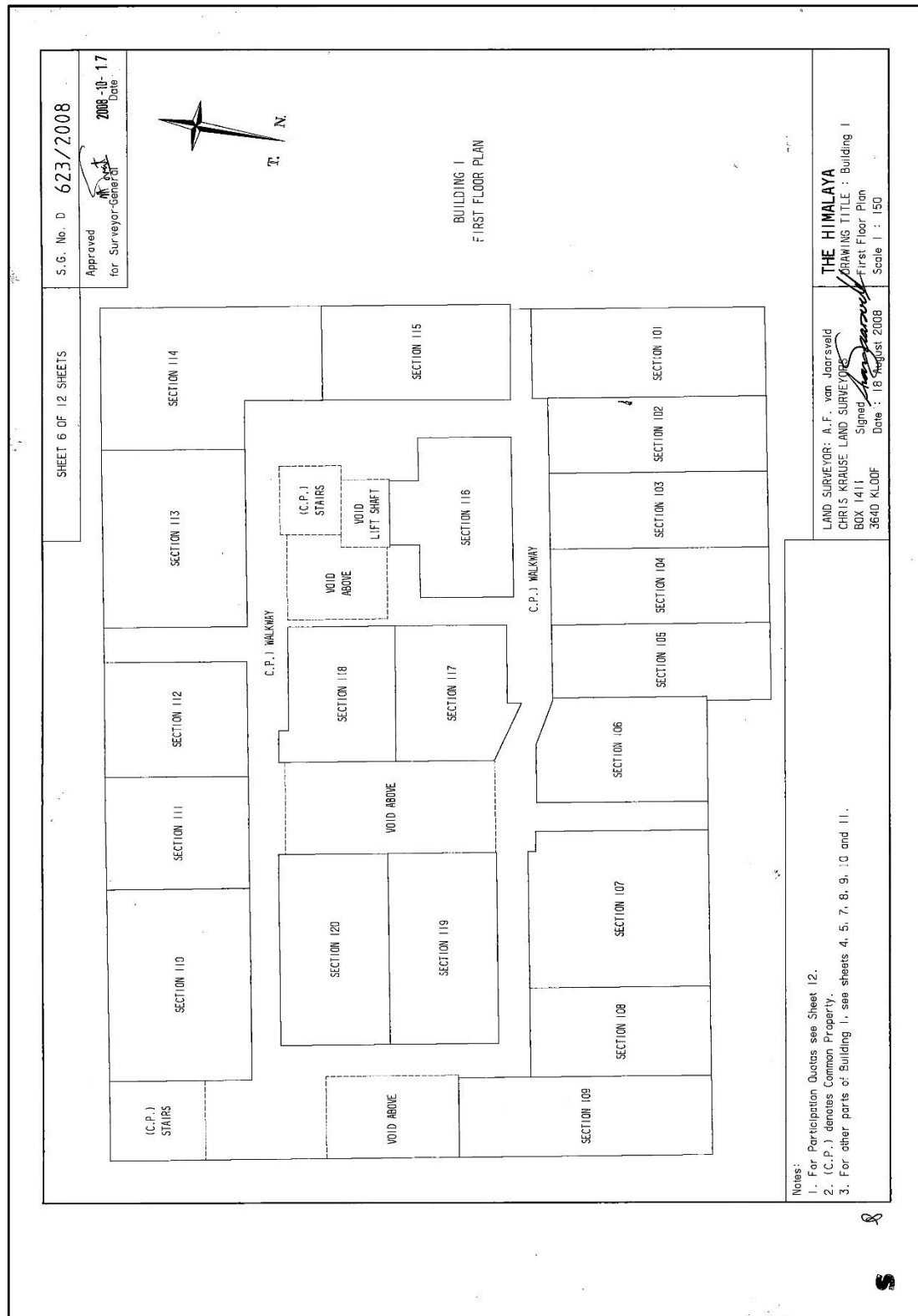


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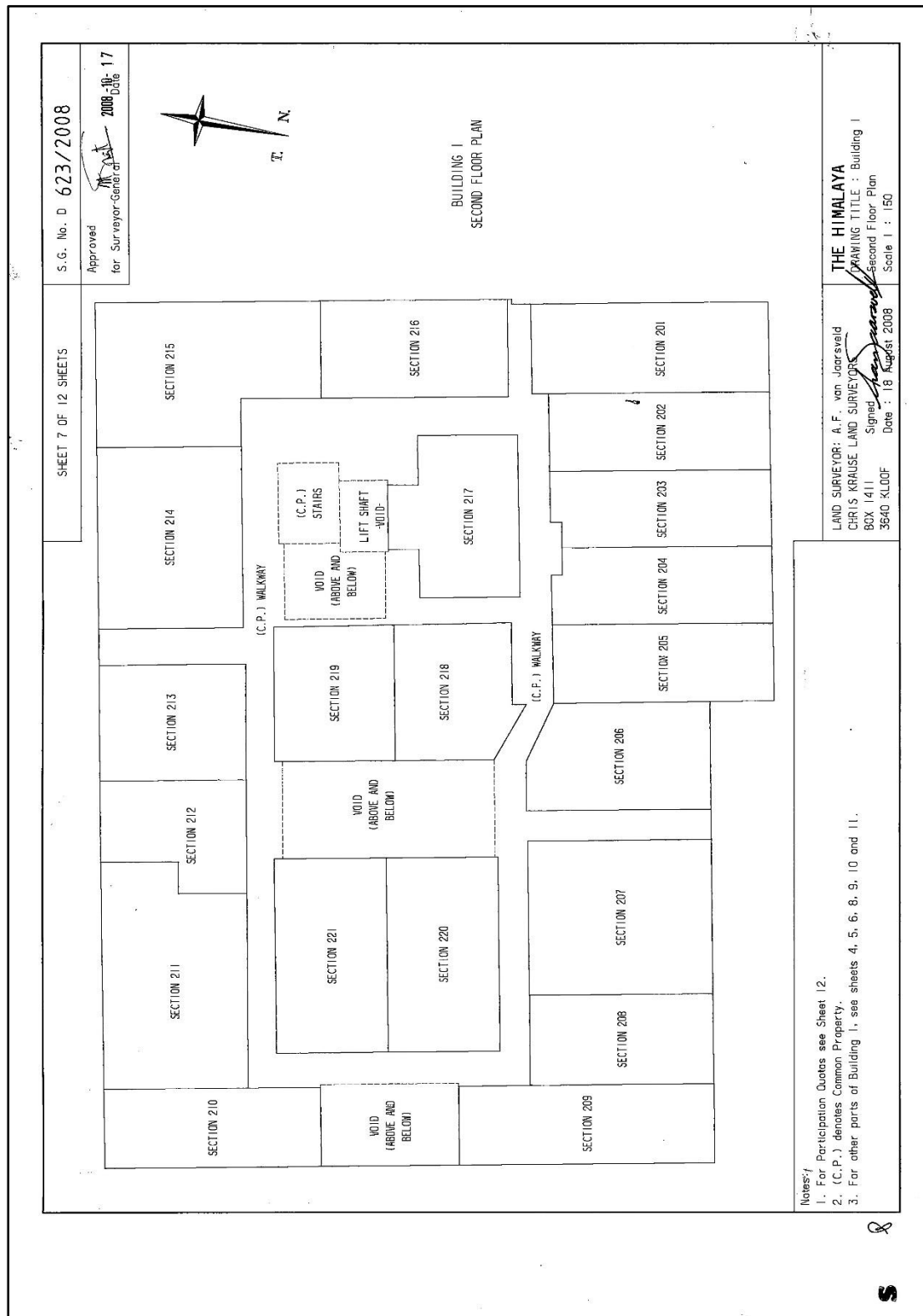
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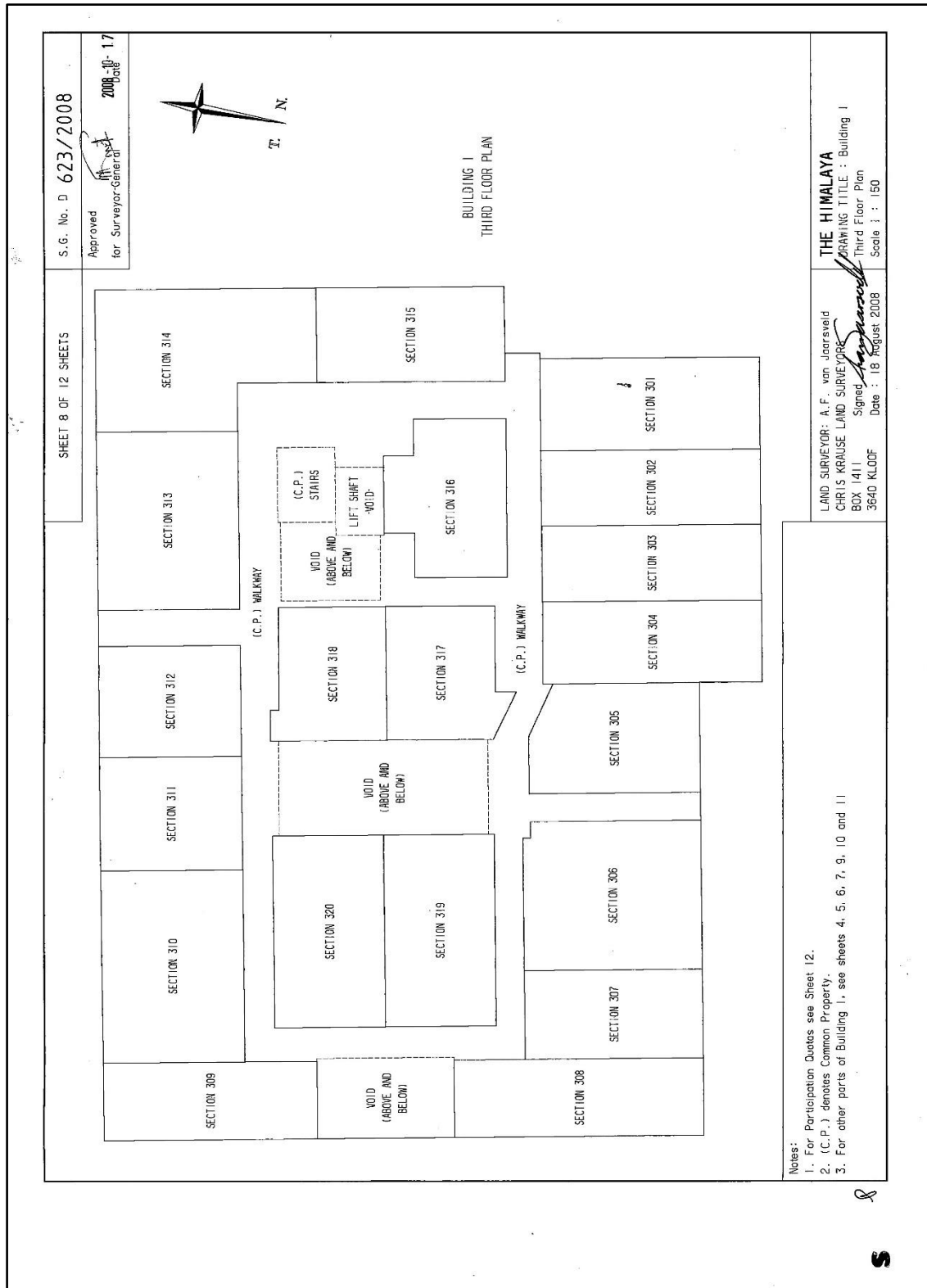
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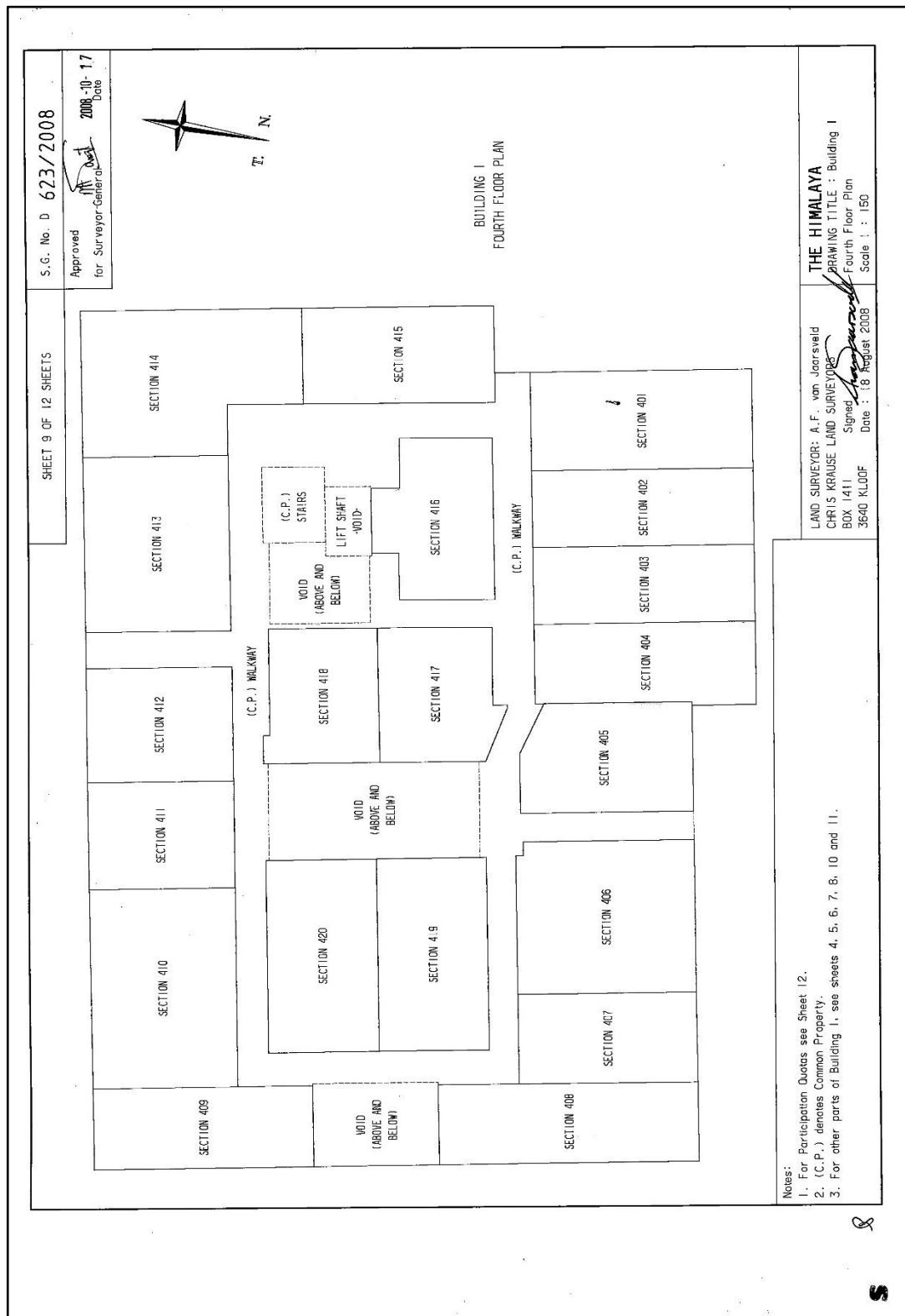
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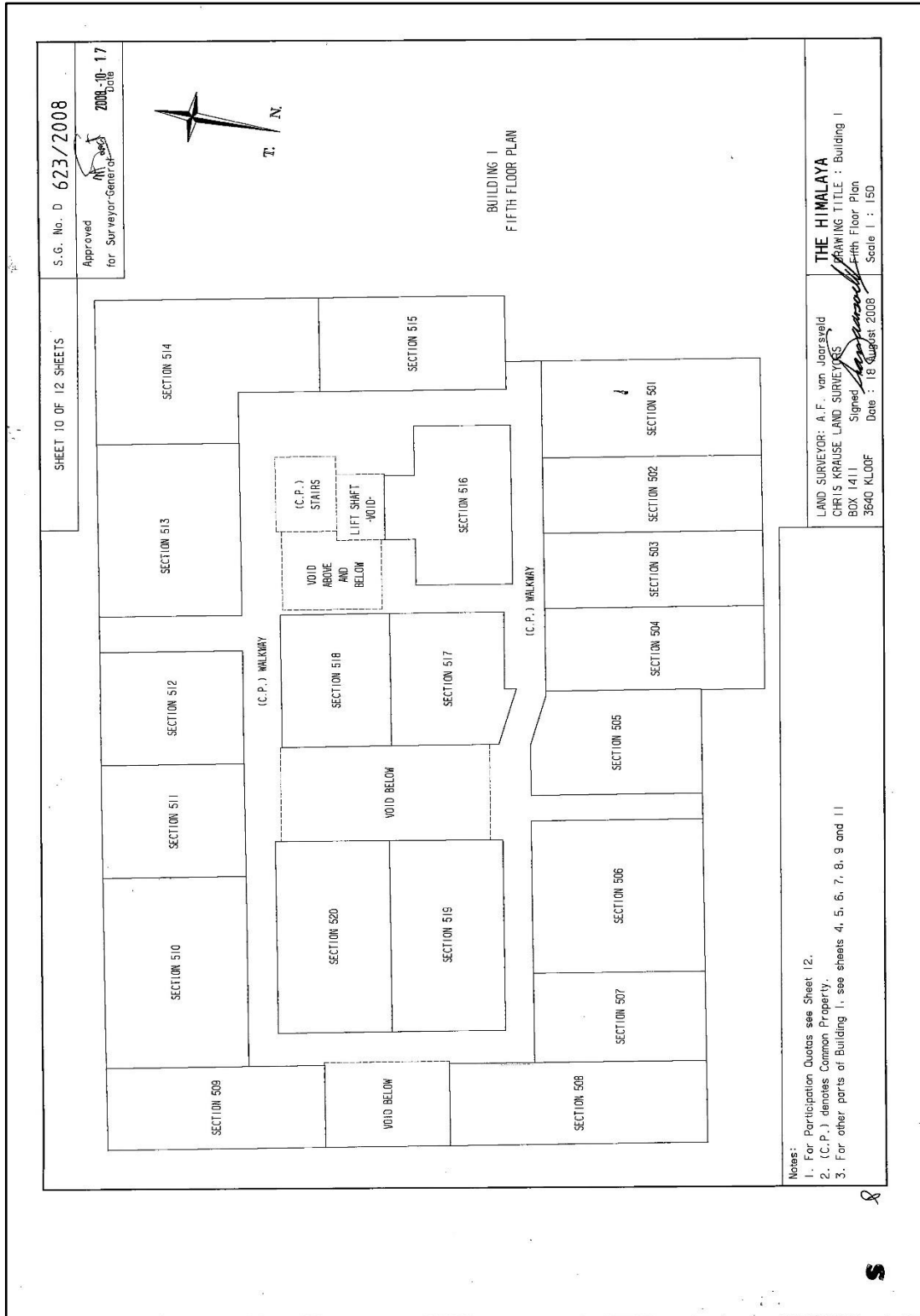


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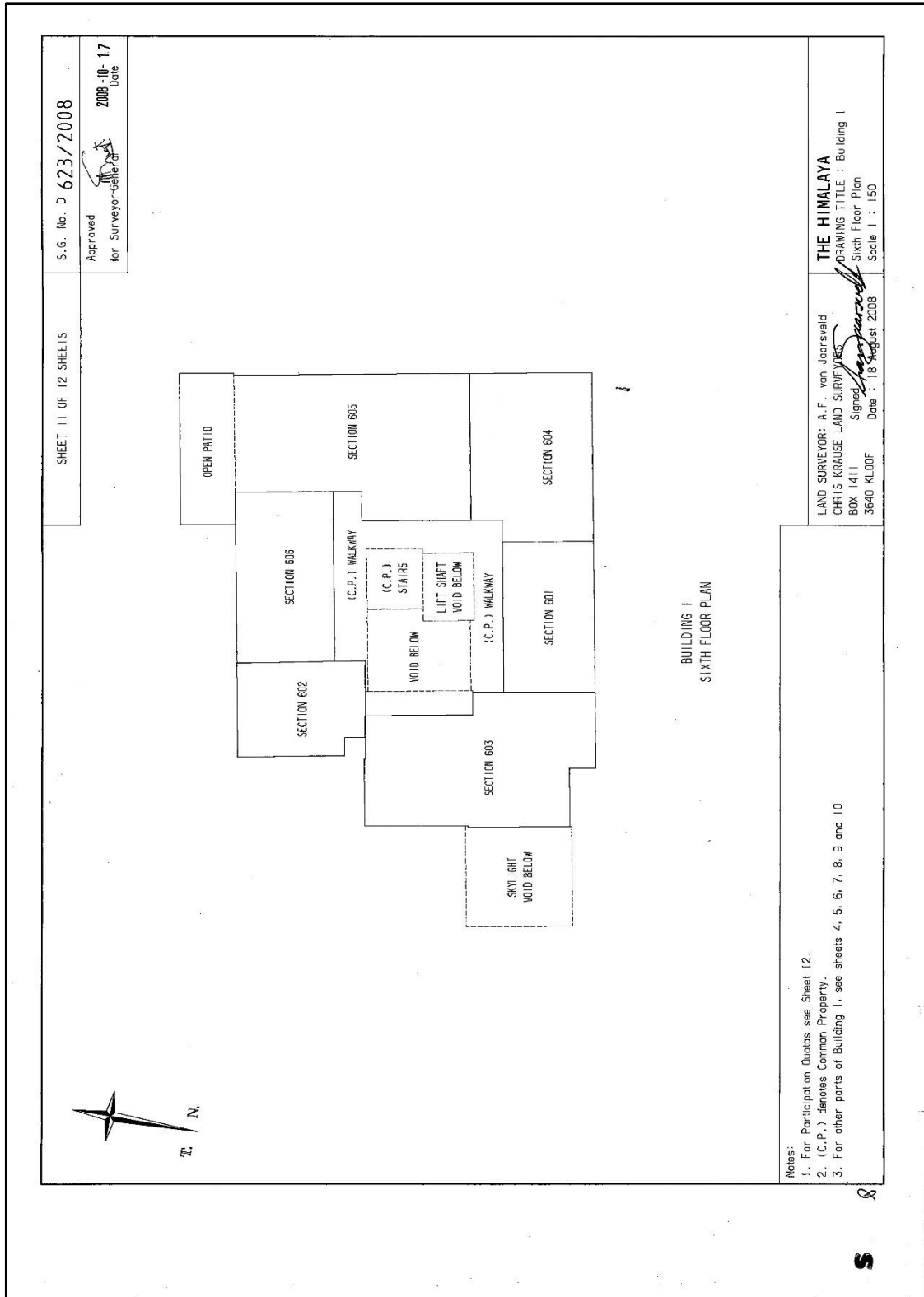
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# SECTIONAL TITLE PLANS CONTINUED

SECTION No.		FLOOR AREA (square metres)	PARTICIPATION QUOTA PERCENTAGE	SECTION No.	FLOOR AREA (square metres)	PARTICIPATION QUOTA PERCENTAGE	SHEET 12 OF 12 SHEETS		S.G. No. D 623/2008 Approved for Surveyor General Date: 18 August 2008
1	404	7.9317	0.9228	302	44	0.8639	FLOOR AREA (square metres)		PARTICIPATION QUOTA PERCENTAGE
101	47	0.7265	0.1377	309	37	0.7265			
102	37	0.7265	0.1377	310	51	0.1377	FLOOR AREA (square metres)		PARTICIPATION QUOTA PERCENTAGE
103	37	0.7265	0.1377	311	36	0.7059			
104	37	0.7059	0.1377	312	35	0.6072	FLOOR AREA (square metres)		PARTICIPATION QUOTA PERCENTAGE
105	36	0.7059	0.1377	313	57	1.1192			
106	38	0.7059	0.1377	314	52	1.1192	FLOOR AREA (square metres)		PARTICIPATION QUOTA PERCENTAGE
107	63	0.2370	0.7059	315	40	0.7059			
108	36	0.8639	0.1377	316	30	0.6072	FLOOR AREA (square metres)		PARTICIPATION QUOTA PERCENTAGE
109	45	0.1377	0.7059	317	34	0.6072			
110	61	0.1377	0.7059	318	33	0.6072	FLOOR AREA (square metres)		PARTICIPATION QUOTA PERCENTAGE
111	36	0.7059	0.1377	319	48	0.9425			
112	37	0.7265	0.1377	320	48	0.9425	FLOOR AREA (square metres)		PARTICIPATION QUOTA PERCENTAGE
113	37	0.7265	0.1377	321	37	0.9425			
114	62	1.2174	0.7059	322	30	0.7059	FLOOR AREA (square metres)		PARTICIPATION QUOTA PERCENTAGE
115	40	0.7059	0.1377	323	40	0.7059			
116	37	0.7059	0.1377	324	40	0.7059	FLOOR AREA (square metres)		PARTICIPATION QUOTA PERCENTAGE
117	34	0.6072	0.1377	325	60	1.1791			
118	33	0.6072	0.1377	326	36	0.6072	FLOOR AREA (square metres)		PARTICIPATION QUOTA PERCENTAGE
119	46	0.6072	0.1377	327	46	0.9322			
120	46	0.6072	0.1377	328	46	0.9322	FLOOR AREA (square metres)		PARTICIPATION QUOTA PERCENTAGE
121	46	0.6072	0.1377	329	33	0.7059			
122	38	0.7059	0.1377	330	64	1.2568	FLOOR AREA (square metres)		PARTICIPATION QUOTA PERCENTAGE
123	38	0.7059	0.1377	331	34	0.6072			
124	38	0.7059	0.1377	332	37	0.7059	FLOOR AREA (square metres)		PARTICIPATION QUOTA PERCENTAGE
125	38	0.7059	0.1377	333	56	0.7059			
126	41	0.8060	0.1377	334	63	1.2370	FLOOR AREA (square metres)		PARTICIPATION QUOTA PERCENTAGE
127	62	1.2174	0.7059	335	41	0.8060			
128	36	0.7059	0.1377	336	39	0.7059	FLOOR AREA (square metres)		PARTICIPATION QUOTA PERCENTAGE
129	44	0.6072	0.1377	337	34	0.6072			
130	37	0.7059	0.1377	338	33	0.6479	FLOOR AREA (square metres)		PARTICIPATION QUOTA PERCENTAGE
131	67	1.3155	0.7059	339	48	0.9425			
132	30	0.5890	0.7059	340	48	0.9425	FLOOR AREA (square metres)		PARTICIPATION QUOTA PERCENTAGE
133	37	0.7059	0.1377	341	37	0.9425			
134	63	1.1192	0.7059	342	37	0.7059	FLOOR AREA (square metres)		PARTICIPATION QUOTA PERCENTAGE
135	63	1.2370	0.7059	343	41	0.7059			
136	39	0.7059	0.1377	344	39	0.8050	FLOOR AREA (square metres)		PARTICIPATION QUOTA PERCENTAGE
137	40	0.7059	0.1377	345	53	1.585			
138	34	0.6072	0.7059	346	53	1.585	FLOOR AREA (square metres)		PARTICIPATION QUOTA PERCENTAGE
139	35	0.6072	0.7059	347	34	0.6072			
140	47	0.9228	0.7059	348	48	0.9425	FLOOR AREA (square metres)		PARTICIPATION QUOTA PERCENTAGE
141	47	0.9228	0.7059	349	40	0.7854			
142	46	0.9032	0.7059	350	61	1.1977	FLOOR AREA (square metres)		PARTICIPATION QUOTA PERCENTAGE
143	37	0.7059	0.1377	351	36	0.7059			
144	37	0.7059	0.1377	352	36	0.7059	FLOOR AREA (square metres)		PARTICIPATION QUOTA PERCENTAGE
145	41	0.8060	0.1377	353	55	1.0769			
146	41	0.8060	0.1377	354	64	1.2568	FLOOR AREA (square metres)		PARTICIPATION QUOTA PERCENTAGE
147	59	1.1585	0.7059	355	39	0.7059			
148	35	0.6072	0.7059	356	39	0.7059	FLOOR AREA (square metres)		PARTICIPATION QUOTA PERCENTAGE
149	35	0.6072	0.7059	357	39	0.7059			

LAND SURVEYOR: A.F. van Jaarsveld  
CHRIS KRAUSE LAND SURVEYORS  
8001 V.L.O.F. Participation Dots  
Signed: *Chris Krause*  
Date: 18 August 2008

THE HIMALAYA  
DRAWING TITLE:  
8001 V.L.O.F. Participation Dots

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# ZONING CONTROLS

ZONE: GENERAL BUSINESS (CENTRAL)			
<b>SCHEME INTENTION:</b> To provide, preserve, use land or buildings for: <ul style="list-style-type: none"> <li>Intense commercial and or business activities.</li> <li>Spatial Development and sustainable function of the Central Business District.</li> <li>This zone shall apply to the Durban Central Business area demarcated by Figure 1 of Section 8</li> </ul>			
<b>MAP COLOUR REFERENCE:</b> Dark Blue with White Hatch		<b>MAP REFERENCE:</b>	
PRIMARY		SPECIAL CONSENT	PRECLUDED
<ul style="list-style-type: none"> <li>Action Sports Bar</li> <li>Adult Premises</li> <li>Arts and Crafts Workshop</li> <li>Betting Depot</li> <li>Boarding House</li> <li>Bus and Taxi Depot</li> <li>Car Wash</li> <li>Crèche</li> <li>*Dwelling House</li> <li>Educational Establishment</li> <li>Escort Agency</li> <li>*Flat</li> <li>Flea Market</li> <li>Funeral Parlour</li> <li>Garden Nursery</li> <li>Government/ Municipal</li> <li>Health &amp; Beauty Clinic</li> <li>Health Studio</li> <li>Hotel</li> </ul>		<ul style="list-style-type: none"> <li>Builders Yard</li> <li>Cemetery/Crematorium</li> <li>Correctional Facility</li> <li>Fuelling and Service Station</li> <li>Mortuary</li> <li>Motor Garage</li> <li>Motor Workshop</li> <li>*Parkade</li> <li>Recycling Centre</li> <li>Reform School</li> <li>Retirement Centre</li> <li>Special Building</li> <li>Telecommunication Infrastructure</li> <li>Student Residence</li> <li>Any other use authorised in terms of Section 9.4 (Important Buildings and Objects)</li> </ul>	<ul style="list-style-type: none"> <li>All other uses not indicated in the Primary and Special Consent columns</li> </ul>
ADDITIONAL CONTROLS – DEVELOPMENT PARAMETERS			
<ul style="list-style-type: none"> <li>*Dwelling House/Flat not permitted on the ground floor.</li> <li>In a Commercial zone residential use may be permitted at ground floor level where the design of a building is such that the residential use is not contiguous with the street.</li> <li><b>*Parkade:</b> <ol style="list-style-type: none"> <li>Parking shall be read in conjunction with the Durban CBD Plan (see section 8.6 of this scheme);</li> <li>Within the area indicated on Figure 5 CBD Durban, Parkade shall be permitted subject to the following restriction: <ul style="list-style-type: none"> <li>the site shall have a minimum street frontage of 45.0m;</li> <li>there shall be minimum spacing between access point of 45.0m; and</li> <li>there shall be a maximum of 450 bays served by each access point.</li> </ul> </li> <li>Notwithstanding the provisions of Sub-section 8.5 within District B, bonus bulk shall be applicable and an amount representing not more than 20% of the total permissible floor area (PFA) shall not be taken into account where such amount is to be used for the parking of motor vehicles.</li> </ol> </li> <li>On Erf 11952 Durban a parkade shall be freely permitted.</li> </ul> <p>For additional controls relating to floor area read in conjunction with parking, refer to sub-section 5.1.2 of this scheme.</p>			
<b>1. HEIGHT</b> In calculating the height of any building the following shall be taken into account: <ol style="list-style-type: none"> <li>No part of any building on a site in a General Business (Central) Zone shall project above a line drawn at an angle of 59° to the horizontal from a point at street level on the opposite boundary of any street which the site upon which the building is situated has frontage; provided that the Municipality may by Special Consent authorise a lift motor room or lift tower, an electricity transformer and meter room, a mechanical ventilation or air-conditioning plant room, a water tank and any architectural or structural feature of the building to project above the 59° angle line.</li> </ol>			

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# ZONING CONTROLS CONTINUED

- (b) In the case of any building on a corner site fronting onto streets of different widths, the line referred to in paragraph (a) hereof, shall be drawn as aforesaid provided that in respect of the first 30, 0 metres of the frontage along the narrower street, measured from the street corner, the said line shall be drawn as if the width of such narrower street was that of the wider street.
- (c) The provisions of paragraph (a) and (b) hereof shall not apply: -
- (i) to that part of a building having frontage to a vehicular street which, from a height of 15,0 metres or less above street level, is set back for its full remaining height a distance not less than 5,0 metres from any building line, or where there is no building line from the boundary of any road reserve (existing or as contemplated in terms of this Scheme) to which the building will have frontage provided that every such setback shall, unless the Head: Development Planning, Environment and Management otherwise directs, extend over the whole length of such frontage;
  - (ii) to that portion of a building which fronts a non-vehicular street to the extent that compliance with such provisions along any frontage to a vehicular street is not affected;
  - (iii) where the Municipality has agreed to the encroachment of a building above any street, existing or as contemplated in terms of this Scheme, to such portion of such building and, if the encroachment is to the full width of such street, to such portion of any building directly facing the encroaching building on the opposite side of such street, as the Municipality in its absolute discretion may determine;
- provided that no such building may, without the Special Consent of the Municipality be built to a height which exceeds 110.0m.

2. Parking shall be in accordance with Figure 1 of Section 8 of this scheme.

SPACE ABOUT BUILDINGS		DWELLING UNITS PER HECTARE	MINIMUM SUBDIVISION (m <sup>2</sup> )	HEIGHT	COVERAGE	FLOOR AREA RATIO
BUILDING LINE	SIDE AND REAR SPACE					
Nil	Nil	N/A	240m <sup>2</sup>	59° angle from opposite side of street (max. width 30m) or 110m with a 5.0m setback at 15.0m	N/A	8.0

## Disclaimer

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