

CHIEF REGISTRAR'S CIRCULAR NO. 3 OF 2014

REGISTRATION OF FIRSTRAND BANK LIMITED AND TERMINATION OF ABSA BANK LIMITED AS TRUSTEE OF COLLECTIVE INVESTMENT SCHEME – FOUNTAINHEAD PROPERTY TRUST SCHEME

1. TERMINATION OF THE APPOINTMENT OF TRUSTEE AND REGISTRATION OF NEW TRUSTEE

- 1.1. The appointment of **ABSA BANK LIMITED (Registration Number 1986/004794/06)** as trustee of **FOUNTAINHEAD PROPERTY TRUST SCHEME**, has been terminated in terms of the provisions of the Collective Investment Schemes Control Act, 2002 (Act No. 45 of 2002), with effect from **16 November 2012**.
- 1.2. **FIRSTRAND BANK LIMITED (Registration number 1929/001225/06)** has been appointed, in terms of section 69(2)(b) of Act No. 45 of 2002, as the new trustee of **FOUNTAINHEAD PROPERTY TRUST SCHEME**, with effect from **16 November 2012**.
- 1.3. The enclosed documentation relating to the termination of the appointment of the trustee, as well as the registration of the new trustee, must be filed under **BC No. 2 of 2014** in all deeds registries.

2. NOTING OF CAVEAT AND ENDORSEMENT OF TITLE DEEDS / BONDS

- 2.1. A **caveat** must be noted, in all deeds registries, against the name of **FOUNTAINHEAD PROPERTY TRUST SCHEME**, to the effect that all the relevant title deeds / bonds must be endorsed (whenever lodged in the deeds registry for whatever purpose) to indicate the termination / appointment of the new trustee.
- 2.2. The caveat must provide for the relevant title deed / bond to be accompanied by an **application in terms of section 3(1)(v) of Act No. 47 of 1937**, for purposes of its endorsement to indicate the termination / appointment of the new trustee.

The said application must contain complete information of the termination / appointment of the trustee, and make reference to the filing of the relevant documentation under **BC 2 of 2014**.

2.3. The title deeds / bonds must be endorsed along the following lines:

Endorsement in terms of section 3(1)(v) of the Deeds Registries Act, 1937 (Act No. 47 of 1937):

The appointment of **ABSA BANK LIMITED (Registration Number 1986/004794/06)** as trustee of **FOUNTAINHEAD PROPERTY TRUST SCHEME** has been terminated with effect from **16 November 2012**. **FIRSTRAND BANK LIMITED (Registration number 1929/001225/06)** is appointed as trustee with effect from **16 November 2012**.

See documentation filed under **BC 2 of 2014**

DATE

REGISTRAR OF DEEDS

3. OFFICE FEES

An office fee is payable in respect of an endorsement referred to in par. 2.3.

4. APPLICATION OF THE CIRCULAR

This circular must be read in conjunction with CRC 4 of 2012.



CHIEF REGISTRAR OF DEEDS

DATE: 07/02/2014

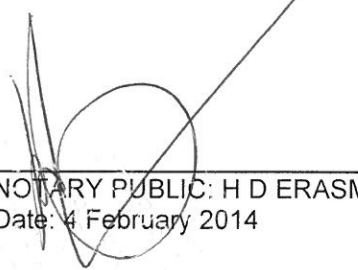
REFERENCE: A.6/2/P and A.1/3/1/187

RINGBINDER 44

CHIEF REGISTRAR OF DEEDS
 REGISTRARS OF DEEDS
 DEPUTY REGISTRAR OF DEEDS: DEEDS TRAINING
 LAW SOCIETY OF SOUTH AFRICA : PRETORIA
 BUTTERWORTHS PUBLICATIONS : DURBAN
 CHAIRPERSON: PROPERTY LAW COMMITTEE : PRETORIA

**VERIFICATION OF CERTIFICATE OF REGISTRATION OF TRUSTEE
AND SUPPLEMENTAL DEED NUMBER 4**

I, the undersigned Hester Daphne Erasmus, Notary Public practicing at Rosebank in the Province of Gauteng, hereby certify that the Certificate of Registration of Trustee and Supplemental Deed Number 4 attached hereto have been fully verified by myself from the originals thereof.



NOTARY PUBLIC: H D ERASMUS
Date: 4 February 2014

FINANCIAL SERVICES BOARD

Riverwalk Office Park Block B 41 Matroosberg Road Ashlea Gardens Extension 6
Pretoria South Africa 0081 PO Box 35655 Menlo Park Pretoria South Africa 0102
Tel +27 12 428 8000 Fax +27 12 346 6941 E-mail info@fsb.co.za
Toll free 0800 110443/0800 202087 Website: www.fsb.co.za



ENQUIRIES:	Kabelo Maponya	D. DIALLING NO.:	012 422 2891
OUR REF:	Case nr:2659	FAX:	012 422 2879
DATE:	16 November 2012	E-MAIL:	Kabelo.Maponya@fsb.co.za

The Managing Director
FirstRand Bank Limited
P O Box 7713
Johannesburg
2000

Dear Sir/Madam

REPUBLIC OF SOUTH AFRICA
FINANCIAL SERVICES BOARD
COLLECTIVE INVESTMENT SCHEMES CONTROL ACT, 2002 (ACT No 45 OF 2002)
("THE ACT")
CERTIFICATE OF REGISTRATION OF TRUSTEE

I hereby certify that FirstRand Bank Limited has been registered by us, in terms of section 69(2)(b) of the Act, as a trustee of a collective investment scheme in property, namely Founteinhead Property Trust Scheme.

Dated at Pretoria this 16th day of November 2012.

REGISTRAR OF COLLECTIVE INVESTMENT SCHEMES



Board Members: AM Sithole (Chairperson) H Wilton (Deputy Chairperson) Z Bassa JV Mogadime
Prof PJ Sutherland D Turpin H M H Ratshefola D Msomi I Momoniat O Makhubela (Alternate)
Executive Officer: DP Tshidi

SABS
150 9001

APPROVED in terms of CIS
Control Act, No. 45 of 2002

2012 - 11 - 16

Registrar of Collective Investment
Schemes

SUPPLEMENTAL DEED NUMBER 4

to the Deed in respect of the

FOUNTAINHEAD PROPERTY TRUST SCHEME

made and entered into by and between

FOUNTAINHEAD PROPERTY TRUST MANAGEMENT LIMITED

(Registration No. 1983/003324/06)

("the Manager")

and

ABSA BANK LIMITED

(Registration No. 1986/004794/06)

("the outgoing Trustee")

and

FIRSTRAND BANK LIMITED

(Registration No. 1929/001225/06)

("the incoming Trustee")

entered into for the purpose of appointing FirstRand Bank Limited and removing ABSA Bank Limited as trustee to the Fountainhead Property Trust Scheme under the deed executed under the Collective Investment Schemes Control Act, 2002 (Act No. 45 of 2002) ("the Act").

Handwritten signatures and initials, including a large signature and the number 4.

1. PREAMBLE

- 1.1 As a result of the Act coming into effect on 3 March 2003, the Manager on 28 March 2003 and the outgoing Trustee on 31 March 2003, signed and executed a deed in order to provide for the continuation of the Fountainhead Property Trust Scheme ("the Scheme") in accordance with the provisions of the Act, which deed was approved by the Registrar of Collective Investments Schemes ("the Registrar") on 1 April 2003 ("the Deed").
- 1.2 The outgoing Trustee has indicated its intention to retire as trustee to the Scheme with effect from close of business on 16 November 2012.
- 1.3 The outgoing Trustee is retiring as trustee to the Scheme and the Manager wishes to appoint the incoming Trustee as trustee to the Scheme with effect from close of business on 16 November 2012.

2. IT IS RECORDED THAT THE PARTIES HERETO AGREE TO THE FOLLOWING:

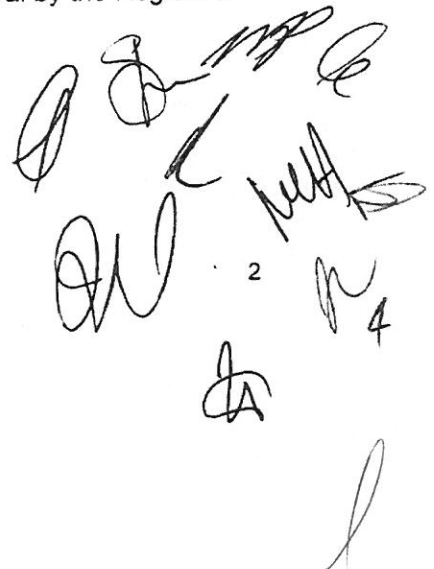
- 2.1 The outgoing Trustee will retire as trustee to the Scheme, and the incoming Trustee is appointed by the Manager as trustee to the Scheme with effect from close of business on 16 November 2012, thereby relinquishing its authority in terms of the Deed and the Act without prejudice to any legal proceedings that may be taken by the Manager, unitholders or any other persons relating to the period prior to the appointment of the incoming Trustee.
- 2.2 All references in the Deed to the outgoing Trustee, namely ABSA Bank Limited is hereby replaced by and is to be read as references to the incoming Trustee, namely FirstRand Bank Limited.
- 2.3 The incoming Trustee, by its signature hereto, accepts its appointment by the Manager as trustee to the Scheme with effect from close of business on 16 November 2012 on the terms and conditions set out in the Deed and the Act.

3. UNDERTAKING

The parties to this supplemental deed hereby confirm that the Deed executed under the Act and all prior supplemental deeds have been scrutinised to ensure that this supplemental deed is compatible with the Deed and prior supplemental deeds.

4. EFFECTIVE DATE

This supplemental deed shall take effect from the date of its approval by the Registrar.

A collection of handwritten signatures and initials in black ink, located in the bottom right corner of the document. The signatures are stylized and appear to be from multiple individuals. There are also some numbers written, such as '2' and '4', possibly indicating page numbers or specific initials.

SIGNED AT JOHANNESBURG BY THE MANAGER ON THIS 1st DAY OF NOVEMBER 2012

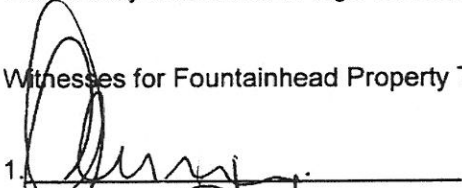

Signatory for Fountainhead Property Trust Management Limited



Name: Alex Phakathi

Who is duly authorised to sign on behalf of Fountainhead Property Trust Management Limited

Witnesses for Fountainhead Property Trust Management Limited

1. 
2. 

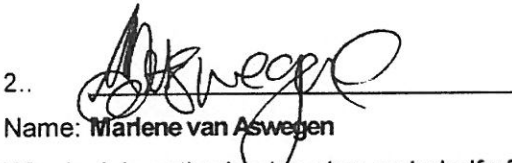
SIGNED AT JOHANNESBURG BY THE OUTGOING TRUSTEE ON THIS 08 DAY OF November
_2012

Signatories for ABSA Bank Limited

1. 

Name: Imelda Way

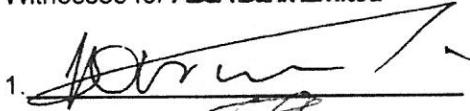

Who is duly authorised to sign on behalf of ABSA Bank Limited

2. 

Name: Marlene van Aswegen

Who is duly authorised to sign on behalf of ABSA Bank Limited

Witnesses for ABSA Bank Limited

1. 
2. 

SIGNED AT JOHANNESBURG BY THE INCOMING TRUSTEE ON THIS 8 DAY OF November
_2012

3
4


Signatories for FirstRand Bank Limited

1. 

Name: **Nelia de Beer**

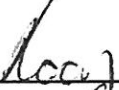
Who is duly authorised to sign on behalf of FirstRand Bank Limited

2. 

Name: **Andre Jansen van Vuuren**

Who is duly authorised to sign on behalf of FirstRand Bank Limited

Witnesses for FirstRand Bank Limited

1. 

2. 