

NB: Kindly attached copy of submitted building plans

MEMORANDUM OF AGREEMENT

entered into by and between

Identity number _____

P O Box _____

Tel: _____

(hereinafter referred to as the “Seller”)

and

Identity number _____

P O Box _____

Tel: _____

(hereinafter referred to as the “Purchaser”)

and

THE MUNICIPAL COUNCIL OF WINDHOEK

WHEREAS the seller and purchaser entered into an agreement for the sale and purchase of

Certain: _____

Situated: In the Municipality of Windhoek

Registration Division "K"

Khomas Region

Measuring: _____

Held by: _____ (Title Deed Nr)

AND WHEREAS the seller is obliged to apply and obtain a building compliance certificate from the Municipal Council of Windhoek in terms of the Municipality of Windhoek Building Regulations published under General Notice no. 57 of 28 April 1969 as amended.

AND WHEREAS the said Council has agreed to allow transfer of the said immovable property subject to the conditions set out herein.

NOW THEREFOR it is hereby agreed as follows:

1. The Council hereby consents to the transfer and registration of the abovementioned immovable property and undertakes to issue a certificate in accordance with Section 3(2) of the Building Regulations published under General Notice no. 57 of 28 April 1969 referred to above in order to allow registration of transfer into the name of the Purchaser.
2. The Purchaser hereby unconditionally and irrevocably accepts and assumes full responsibility to comply with each and every obligation of the Seller by virtue of the Municipality of Windhoek Building regulations referred to above.

3. The Purchaser further undertakes to take all necessary steps within 6 (six) months of date of signature hereof, in order to bring all buildings on the property into compliance with the building plans of the property filed with the Municipal Council, alternatively to amend or file new or additional plans for approval in order to bring the existing plan to show all structures on the plans as it currently exists on the property.

4. The Purchaser hereby acknowledges that through his/her failure to comply with condition 2 and 3 above, he/she will be guilty of an offence and may be on conviction be liable for payment of a fine not exceeding N\$2 000,00 (TWO THOUSAND NAMIBIA DOLLARS) or imprisonment for a period not exceeding 6 (six) months, or both.

Signed at _____ this day of _____

Witnesses:

1. _____

Seller

2. _____

Purchaser

CONVEYENCER'S STAMP

THE MEMORANDUM OF AGREEMENT DOES NOT COMPLY FOR THE FOLLOWING FAILED REASONS;

- **SELF-CLOSING FIRE DOOR**
- **POOL COVER,**
- **GATE ON PAVEMENT**
- **ROOF VENTS**
- **TEMPORARY STRUCTURE/ SHACK ON ERF**
- **FIREWALLS NOT BUILT**
- **WALLS NOT PLASTERED ON THE NEIGHBOR SIDE**
- **ENCROACHMENT**

THANK YOU FOR YOUR UNDERSTANDING,