

MMK 21000 2638

AREA: Mankweng	PROJECT NO. Vodacom Dikgale South.
FEEDER: Mantheding 11KV.	
SUPPLY TO: Vodacom	
ESKOM REPRESENTATIVE: A. Neethling	TEL: 082 463 1253
DISTRIBUTION	FAX: 015 297 3081

WAY LEAVE AGREEMENT OVERHEAD POWER LINE/UNDERGROUND CABLE(S)

I/We, the undersigned (full names)in my capacity as.....of and duly authorised thereto.

(Identity number:..... married in/out of community of property with/without accrual/marital power)

Address: Postal Code

Tel No.: being the REGISTERED OWNER/S

and
 Mabhele Mapha Bohane
 Dikgale P.C. Secretary

(Identity number: 1. 85020300001 married in/out of community of property with/without accrual/marital power)

Address:
 Stand no: 6041, Dikgale Village
 Dikgale Postal Code 0721

Tel No.: 013 741 2511
 being the *PURCHASER/LESSEE/USUFRUCTUARY/HEIR/OCCUPANT

(hereinafter referred to jointly or individually as the "Owner) of the following property/properties:
 Bergplaas 862 LS Portion O
 situated in the Administrative District of Palokwane Local Municipality
 held by virtue of Title Deed's number 7104909/1999 extent 1319.81

(* Delete if not applicable)

(hereinafter referred to as the "Property") hereby grant/s to Eskom Holdings Limited, Registration Number 2002/015527/06, its successors in title, assignees, licensees, (hereinafter referred to as "Eskom") an irrevocable right of way leave in perpetuity free of charge to transmit electricity over the property.

1. The right of WAY LEAVE shall be binding on the Owner, its heirs, assignees and successors in title and shall include the following rights in favour of Eskom:

1.1 the right to erect an overhead power line/underground cable(s) together with such structures, works, appliances, apparatus, conductors and overhead cables ("works") on the property or to erect or lead such conductors or appliances or other equipment on, under or over the property substantially on the route as indicated by the letters on the sketch attached hereto, as may at any time be necessary or convenient in exercising the right of way leave for overhead power line(s) / underground cable(s) (hereinafter together with the restriction area referred to in 3.1, referred to as the "Servitude Area").

1.2 the right to enter and be upon the property at any time in order to construct, erect, operate, use, maintain, repair, re-erect, remove, alter or inspect the structures, works, appliances, apparatus, conductors or cables ("works") on the property, or in order to gain access to any adjacent properties in the exercise of similar rights.

1.3 the right to have access to and egress from the power lines and the right to use existing roads giving access to and egress from the property or roads running across the property and gates on the property and to erect in any fence such gates as may be necessary or convenient to gain access to and egress from any power line/underground cable or accessory equipment.

1.4 the right to remove any trees, bush, grass, material or structures within the restricted area defined in clause 3 hereof and the right to cut or trim any trees in order to comply with the restrictions referred to in clause 3 hereof, after consultation with the land owner/s.

2. Eskom shall exercise its rights subject to the following terms and conditions -

2.1 Eskom shall ensure that any gates used by its personnel shall be kept closed.

2.2 Eskom shall pay compensation:

2.2.1 where damage or injury is caused by any negligent act or omission on the part of Eskom, its employees or contractors;

3. The following special restrictions are placed on the use of the property namely -

3.1 No building or structure may be erected or installed above or below the surface of the ground, neither may any material which might endanger the safety of this power line/underground cable be placed within metres of the centre line of this power line/underground cable without the prior written permission of Eskom.

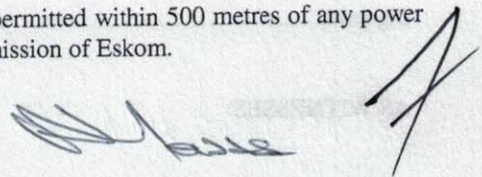
3.2 No tree shall be planted within the servitude area.

3.3 No tree which will grow to a height in excess of the horizontal distance of that tree from the nearest conductor of any power line shall be planted within the vicinity of the power line

3.4 No material which may in the opinion of Eskom endanger the safety of any transmission line shall be placed within the servitude area.

3.5. No mining activities or blasting operations shall be permitted within 500 metres of any power line/underground cable without the prior written permission of Eskom.

4. The right of way leave hereby granted to Eskom -



4.1 shall be binding on the heirs, assignees and successors in title of the owner.

4.2 shall be brought in writing to the attention of any purchaser or transferee of the property (or of any portion of the property) by the owner or the seller (at that time) of the property before the property (or any portion thereof) is sold and/or transferred to such purchaser or transferee.

4.3 shall, if Eskom so requests, be incorporated into a notarial deed of servitude and be registered against the title deed under which the property is held; on Eskom's costs the owner and/or its heirs, assignees and successors in title shall perform all necessary actions and sign all necessary documents to achieve the notarial execution and registration (in the office of the Registrar of Deeds) of a deed of servitude, as envisaged above.

5. Remarks / Special Conditions:

.....
.....
.....
.....
.....
.....
.....



Signed at on this 28 day of July 2017

AS WITNESSES:

1.
REGISTERED OWNER(S)/PURCHASER/
LESSEE/USUFRUCTUARY/HEIR/
OCCUPANT*/SPOUSE IF MARRIED IN
COMMUNITY OF PROPERTY

2.

Signed at on this Day of 20.....

AS WITNESSES:

1. 



2.

REGISTERED OWNER(S)/PURCHASER/
LESSEE/USUFRUCTUARY/HEIR/
OCCUPANT*/SPOUSE IF MARRIED IN
COMMUNITY OF PROPERTY

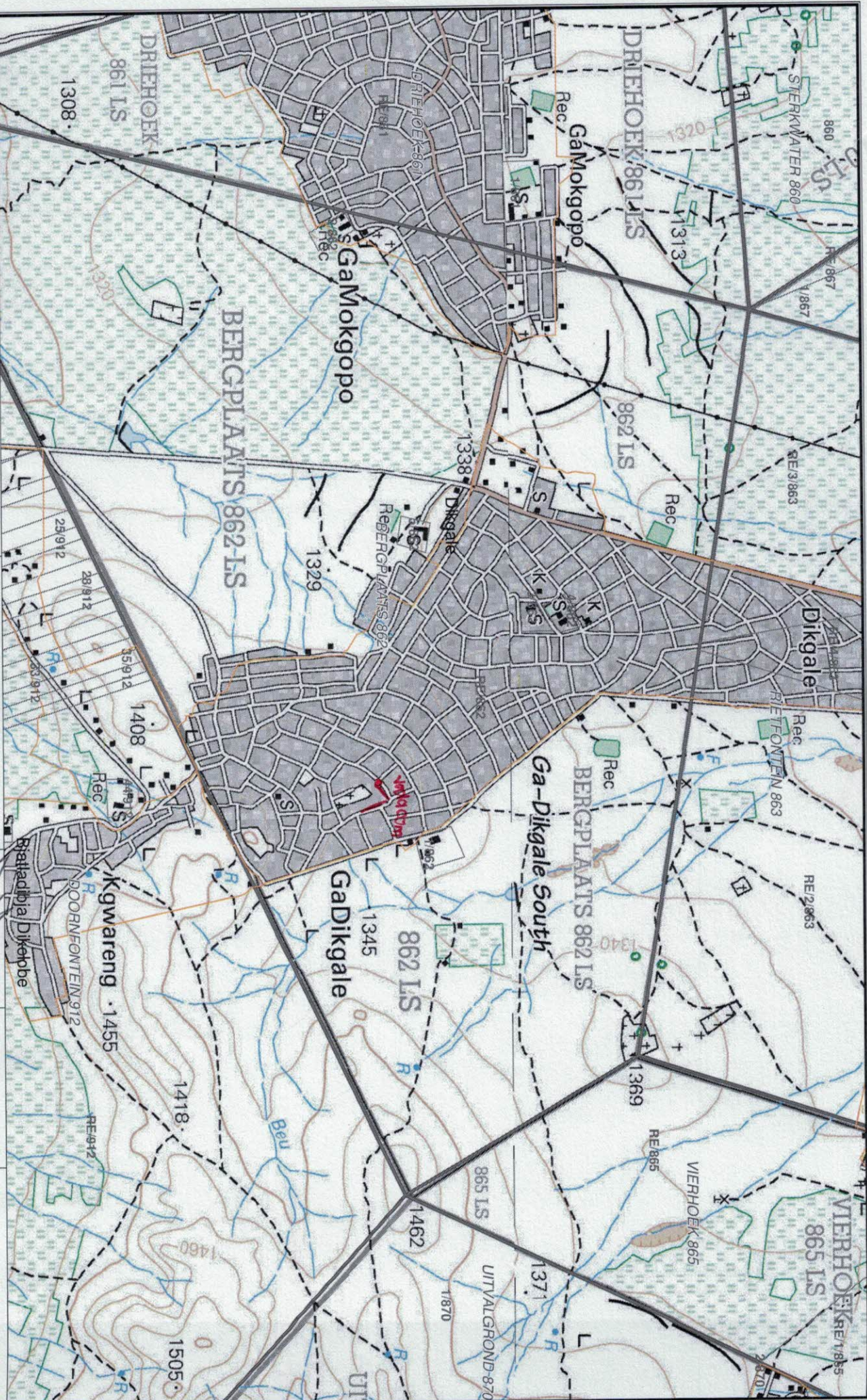
Signed at on this day of 20.....

AS WITNESSES:

1.

for and on behalf of
ESKOM HOLDINGS LIMITED

2.
(* Delete whichever is not applicable)



LJCC
Engineering Surveys

Tel: (015) 297 7457
 Fax: (015) 297 3081
 Cell: 082 448 2641
 E-Mail: annhette@ljcc.co.za

Limpopo Office
 124 Gent Mallet Street
 Welgemoen
 Polokwane
 0599

Northern Cape Office
 13 Vrede Street
 Flora Park
 Upington
 8800

VILLAGE ELECTRIFICATION
 VODACOM DIKGALE SOUTH

[Signature]
 Witness
 Date: 28/02/2017

_____ Eskom Representative
 _____ Witness
 _____ Date

2329 DD

Scale 1:25000

0 120 240 360 480 600 m