



NDZUNDZA LITHO
TRADITIONAL COUNCIL
24-11-2014
P.O. BOX 40, KWA-LITHO 0482
INKOSI: V.N. MAHLANGU

AREA: <i>Ru DE WINTER</i>	PROJECT NO. <i>Ropotokwane</i>
FEEDER: <i>LEEY KRAAL 22KV</i>	<i>PEGSING</i>
SUPPLY TO: <i>RAPOTOKWANE VILLAGE</i>	
ESKOM REPRESENTATIVE: <i>MN MALEKA</i>	TEL: <i>072 132 4325</i>
*DISTRIBUTION/*TRANSMISSION	FAX: <i>015 298 8563</i>

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

I/We, the undersigned (full names)

.....

.....

(* If Company/CC/Trust, complete capacity of authorised persons)

(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

** Seopahina Johannes Mnguni*

(Identity number: ** 4911055478683* married in/out of community of property with/without
accrual/marital power)

Address: ** P.O. Box 36 Kwa-Litho*
..... Postal Code ** 0482*

Tel No.: *076 348 2246*

being the *PURCHASER/LESSEE/USUFRUCTUARY/HEIR/OCCUPANT

(hereinafter referred to jointly or individually as the "Owner) of the following property/properties:

PORTION "O" OF WITLAAGTE 173 JR

.....

.....

situate in the Administrative District of *DR JS MOROKA LOCAL MUNICIPALITY*

(* 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*ELEC*..... 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*9*..... 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 Mapepe Takuwane on this 24 day of 11 2014

AS WITNESSES:

1. [Signature]

[Signature]
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.

**NDZUNDZA LITHO
TRADITIONAL COUNCIL.**
24-11-2014
P.O. BOX 40, KWA-LITHO 0487
**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.

.....
for and on behalf of
ESKOM HOLDINGS LIMITED

2.

Property Enquiry Details



Property enquiry results for "JR, 173, Witlaagte, 0" in the Deeds Registry at "PRETORIA"

Property detail:

Deeds registry	PRETORIA
Property type	FARM
Farm name	WITLAAGTE
Farm number	173
Portion	0 (REMAINING EXTENT)
Province	NORTH-WEST
Registration division/Administrative district	JR
Local authority	DR JS MOROKA LOCAL MUNICIPALITY
Previous description	-
Diagram deed number	T2144/1875
Extent	5.696} H
LPI Code	TOJR00000000017300000

Title Deeds detail:

Document	Registration date	Purchase date	Amount	Microfilm reference	Document copy?
T10343/1917BP	19171211	-	NIL	-	Not available

Owners detail:

Document	Full name	Identity Number	Share	Person Enquiry?
T10343/1917BP	DAVIDSON EZEKIEL	-	0.500000	Yes
T6173/1915BP	DAVIDSON EZEKIEL	-	0.500000	Yes

Endorsements / Encumbrances:

Endorsement / Encumbrance	Holder	Amount	Microfilm reference	Document copy?
JR,173-BP	-	-	-	Not available

History:

No data found for this query!

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Requested by **A0026951** with user reference **None** on: Wednesday, 26 November 11 11:40

DeedsWeb Version 4.0.1

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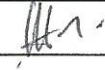
Wayleave Agreement Checklist

2013 rev 02

Surveyor **MAI MALEKA**
Eskom rep:

PROJECT No. : **ROPO TO KWANE DEGRINS**
Item **1** of **1**

Item no	
Eskom representative, (Surveyor)	MM
Owners name, address, id number and contact details	YES
Widowed, unmarried or married out of community of property	N/A
Complete Property Description	YES
Extent and transport number	YES
Letters indicating route at "1.1"	N/A
Building restriction	N/A
Date signed	YES
Signature of property owner	YES
Signature of witnesses	YES
Signature on sketch	N/A
Witnesses on sketch	N/A
North symbol	YES
Scale	YES
Route in red	N/A
Route marked by letters (a, b, c...) on sketch	N/A
Parallel distance from boundary or other linear features	N/A
Complete Property Description on sketch	N/A
Deeds report attached	YES
All signatures must be original, no signatures faxed or copied will be accepted	

Signed by Surveyor 

Signed by Eskom _____

NOTES

- 1.1 If the owner is the registered owner of an Institution, a Government Department, or a Company etc, the **full names and capacity** of the undersigned must also be filled in. The full names and capacity also applies for a Lessee, Buyer, User, Heir, Occupant, Guardian etc.
- 1.2 In the event of Closed Corporation, the member signing for the CC, must have power of attorney for all members.
- 1.3 Please "Highlight" the portion number, border and farm name on the plan.
- 1.4 Show the planned routes in red on the sketch plan.
- 1.5 All alterations made on the Wayleave form must be initialled.

