



AREA: Dundonald.	PROJECT NO. BELVEDERE ELECTRIFICATION
FEEDER: Dundonald 11kv line	
SUPPLY TO: Belvedere village	
ESKOM REPRESENTATIVE: D. Schreier	TEL: 0824635099
DISTRIBUTION	FAX: 0152973081

**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:

Tel No.: Postal Code

being the REGISTERED OWNER/S

and

STEVEN JIBETO
CIVIC MANAGER - Mpuenzi UNIT

(Identity number: 800310559 married in/out of community of property with/without
accrual/marital power)

Address: P.O. Box 24 Carolina

Postal Code 1185

Tel No.: 0833754404

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

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

Belvedere 209 IT → P/N 0, 8, 15, 13

Dundonald 210 IT → Rem

situated in the Administrative District of Albert Luthuli Local Munic

held by virtue of Title Deed's number T13289/2013 extent 1368/1210 Ha

T42527/1990	21,017 Ha
T42525/1990	76,0739 Ha
T88692/1988	883.5569 Ha
T8185/1975	293.7252 Ha



(* 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 W.A.P.L. 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 on this day of 20.....

AS WITNESSES:

1.

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

2.

- Signed at Mthunzi on this 02 Day of July 2014

AS WITNESSES:

ALBERT LUTHULI
MUNICIPALITY
2014 -07- 0 2
DEPARTMENT OF FINANCE
INCOME


1. 

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

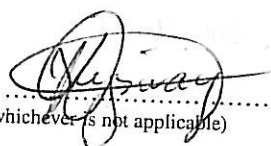
2.

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

AS WITNESSES:

1. 

for and on behalf of
ESKOM HOLDINGS LIMITED

2. 
(* Delete whichever is not applicable)

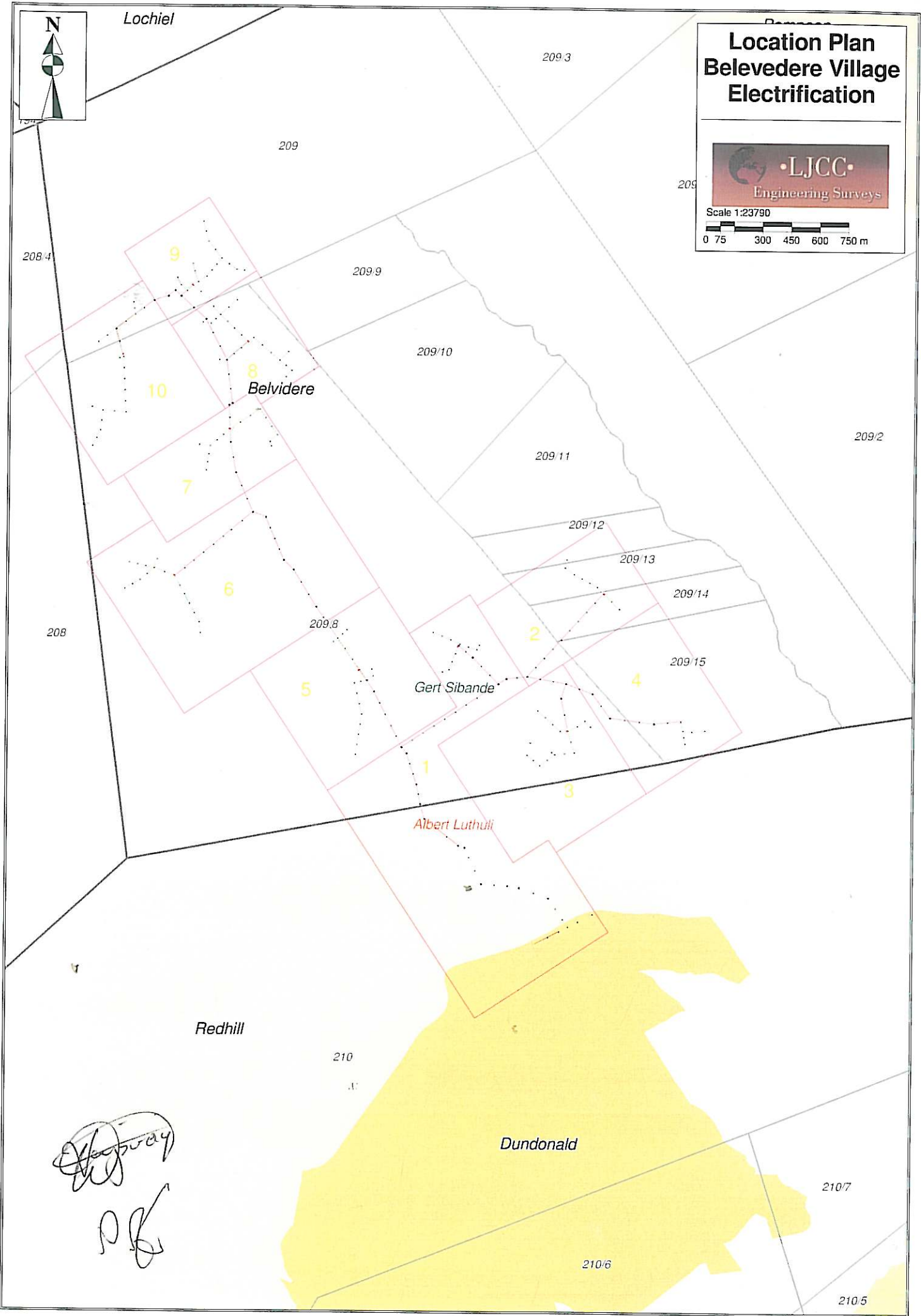


Lochiel

Location Plan Belevedere Village Electrification



Scale 1:23790



Handwritten signatures and initials:
[Signature]
[Signature]
P.B.

Property Enquiry Details



Property enquiry results for "it, 210" in the Deeds Registry at "MPUMALANGA"

Property detail:

Deeds registry	MPUMALANGA
Property type	FARM
Farm name	DUNDONALD
Farm number	210
Portion	0 (REMAINING EXTENT)
Province	MPUMALANGA
Registration division/Administrative district	IT
Local authority	ALBERT LUTHULI LOCAL MUNICIPALITY
Previous description	LG428/966
Diagram deed number	DB93/7
Extent	1368.1210 H
LPI Code	TOIT00000000021000000

Title Deeds detail:

Document	Registration date	Purchase date	Amount	Image Scanned reference	Document copy?
T13289/2013	20131121	20130923	R12328000.00	20131209 16:45:27	Yes

Owners detail:

Document	Full name	Identity Number	Share	Person Enquiry?
T13289/2013	NORTHERN COAL PTY LTD	198100425007	-	Yes
T14260/1977	REPUBLIC OF SOUTH AFRICA	-	-	Yes
T75474/2000	REPUBLIC OF SOUTH AFRICA	-	-	Yes

Endorsements / Encumbrances:

Endorsement / Encumbrance	Holder	Amount	Image Scanned reference	Document copy?
K1715/1975S	-	-	20000101 08:58:47	Yes
K3182/2000S	-	-	20000101 08:58:47	Yes
K9798/2006S	-	-	20070219 08:58:28	Yes

VA15734/2000	KANGWANE GOVERNMENT	-	20000101 08:58:47	Yes
INFO FROM PRETORIA DEEDS REGIS	-	-	-	Not available
IT,210,	-	-	-	Not available
KANGWANE	-	-	-	Not available
RELEASED AREA	-	-	-	Not available

History:

Document	Holder	Amount	Image Scanned reference	Document copy?
T14260/1977	S A ONTWIKKELINGSTRUST	-	20070219 08:58:33	Yes
T14260/1977	KANGWANE GOVERNMENT	END	20070219 08:58:33	Yes

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Requested by **a0013227** with user reference **None** on: Monday, 07 July 114 13:51

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Property Enquiry Details



Property enquiry results for "it, 209" in the Deeds Registry at "MPUMALANGA"

Property detail:

Deeds registry	MPUMALANGA
Property type	FARM
Farm name	BELVIDERE
Farm number	209
Portion	0 (REMAINING EXTENT)
Province	MPUMALANGA
Registration division/Administrative district	IT
Local authority	ALBERT LUTHULI LOCAL MUNICIPALITY
Previous description	-LG427/966
Diagram deed number	DB93/4
Extent	293.7252 H
LPI Code	T0IT00000000020900000

Title Deeds detail:

Document	Registration date	Purchase date	Amount	Image Scanned reference	Document copy?
T8185/1975	19750313	-	-	19990101 05:54:31	Yes

Owners detail:

Document	Full name	Identity Number	Share	Person Enquiry?
T8185/1975	GOVERNMENT OF KANGWANE	-	-	Yes

Endorsements / Encumbrances:

Endorsement / Encumbrance	Holder	Amount	Image Scanned reference	Document copy?
K1889/1999S	-	-	20020101 01:57:23	Yes
K7376/2001S	-	-	20020101 01:57:23	Yes
T8185/1975	-	-	19990101 05:54:31	Yes

VA1853/1999	SUID-AFRIKAANSE BANTOETRUST	-	19990101 05:54:31	<u>Yes</u>
INFO FROM PRETORIA DEEDS REGIS	-	-	-	Not available
IT,209,	-	-	-	Not available
KANGWANE	-	-	-	Not available
RELEASED AREA	-	-	-	Not available

History:

Document	Holder	Amount	Image Scanned reference	Document copy?
T8185/1975	S A ONTWIKKELINGSTRUST	-	19990101 05:54:31	<u>Yes</u>

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Requested by **a0013227** with user reference **None** on: Monday, 07 July 114 13:45

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Property Enquiry Details



Property enquiry results for "it, 209" in the Deeds Registry at "MPUMALANGA"

Property detail:

Deeds registry	MPUMALANGA
Property type	FARM
Farm name	BELVIDERE
Farm number	209
Portion	13
Province	MPUMALANGA
Registration division/Administrative district	IT
Local authority	ALBERT LUTHULI LOCAL MUNICIPALITY
Previous description	PTN8
Diagram deed number	T42527/990
Extent	21.0817 H
LPI Code	TOIT00000000020900013

Title Deeds detail:

Document	Registration date	Purchase date	Amount	Image Scanned reference	Document copy?
T42527/1990	19900706	19880831	R3184.00	19900101 10:13:45	Yes

Owners detail:

Document	Full name	Identity Number	Share	Person Enquiry?
T42527/1990	MLOTYWA PATRICK B-E	-	-	Yes

Endorsements / Encumbrances:

Endorsement / Encumbrance	Holder	Amount	Microfilm reference	Document copy?
INFO FROM PRETORIA DEEDS REGIS	-	-	-	Not available

History:

No data found for this query!

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Property Enquiry Details



Property enquiry results for "it, 209" in the Deeds Registry at "MPUMALANGA"

Property detail:

Deeds registry	MPUMALANGA
Property type	FARM
Farm name	BELVIDERE
Farm number	209
Portion	8 (REMAINING EXTENT)
Province	MPUMALANGA
Registration division/Administrative district	IT
Local authority	ALBERT LUTHULI LOCAL MUNICIPALITY
Previous description	-
Diagram deed number	T88692/988
Extent	883.5569 H
LPI Code	T0IT00000000020900008

Title Deeds detail:

Document	Registration date	Purchase date	Amount	Image Scanned reference	Document copy?
T88692/1988	19881222	-	SECT 28	20000101 00:55:58	Yes

Owners detail:

Document	Full name	Identity Number	Share	Person Enquiry?
T88692/1988	REPUBLIC OF SOUTH AFRICA	-	-	Yes
T152192/1999	REPUBLIC OF SOUTH AFRICA	-	-	Yes

Endorsements / Encumbrances:

Endorsement / Encumbrance	Holder	Amount	Image Scanned reference	Document copy?
K2300/2007S	-	-	20070614 11:38:45	Yes
K6388/1999S	-	-	20070614 12:52:06	Yes

T88692/1988	-	-	20000101 00:55:58	Yes
VA7228/1999	SUID-AFRIKAANSE ONTWIKKELINGSTRUST	-	20000101 00:55:58	Yes
FROM-PTNS5-7,209,IT	-	-	-	Not available
INFO FROM PRETORIA DEEDS REGIS	-	-	-	Not available

History:

Document	Holder	Amount	Image Scanned reference	Document copy?
T88692/1988	SUID-AFRIKAANSE ONTWIKKELINGSTRUST	CCT	20000101 00:55:58	Yes

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Requested by **a0013227** with user reference **None** on: Monday, 07 July 114 13:47

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Property Enquiry Details



Property enquiry results for "it, 209" in the Deeds Registry at "MPUMALANGA"

Property detail:

Deeds registry	MPUMALANGA
Property type	FARM
Farm name	BELVIDERE
Farm number	209
Portion	15
Province	MPUMALANGA
Registration division/Administrative district	IT
Local authority	ALBERT LUTHULI LOCAL MUNICIPALITY
Previous description	PTN8
Diagram deed number	T42525/990
Extent	76.0739 H
LPI Code	TOIT00000000020900015

Title Deeds detail:

Document	Registration date	Purchase date	Amount	Image Scanned reference	Document copy?
T42525/1990	19900706	19880831	R9720.00	19900101 10:13:45	Yes

Owners detail:

Document	Full name	Identity Number	Share	Person Enquiry?
T42525/1990	MASINA ELIAS B-E	-	-	Yes

Endorsements / Encumbrances:

Endorsement / Encumbrance	Holder	Amount	Microfilm reference	Document copy?
INFO FROM PRETORIA DEEDS REGIS	-	-	-	Not available

History:

No data found for this query!

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Annriette Neethling

From: Dian Scholtz <dian@ljcc.co.za>
Sent: 09 July 2014 10:40 AM
To: annriette@ljcc.co.za
Subject: FW: Farm dispute - Dundonald 210 IT remainder

Importance: High

Hi Annriette

Terugvoering van Northern Coal...

Best Regards,

Dian Scholtz
Survey Technician - Engineering
ST1577
LJCC Engineering Surveys
Cell: 082 463 5099
Tel (w): 015 297 7457
Fax (w): 015 297 3081



From: info [<mailto:info@portaclone.co.za>]
Sent: 09 July 2014 10:23 AM
To: Dian Scholtz
Subject: RE: Farm dispute - Dundonald 210 IT remainder
Importance: High

Hi Dian,

I can confirm Northern Coal are not the owners of Dundonald 210IT. It would seem the Deeds Office have their Registration Divisions IT's and IS's confused.

Kind Regards
Denise

From: Dian Scholtz [<mailto:dian@ljcc.co.za>]
Sent: 08 July 2014 10:37
To: info
Subject: Farm dispute - Dundonald 210 IT remainder

Good day Denise

As discussed, please refer to attached documents. I have done an electrification survey for rural housing on Belvedere and was informed that a portion of the line surveyed falls on a property belonging to Northern Coal. I was assured by my colleague that the information supplied is correct. Please advise.

Best Regards,

Dian Scholtz
Survey Technician – Engineering
ST1577

LJCC Engineering Surveys

Cell: 082 463 5099

Tel (w): 015 297 7457

Fax (w): 015 297 3081



Township	Extention	Erf/portion	Restant	Area Numeric	Street	Property Remark	Owner Name	Market Value	Usage	Category
DUNDONALD-A		104		1000			PROVINCIAL GOVERNMENT OF THE PROVINCE OF MPUMALANGA	R 15 000	D	RES
DUNDONALD-A		105		1000			NDABEZITHA ZULILE SARAH AND 1 OTHER	R 65 000	D	RES
DUNDONALD-A		106		47614			PROVINCIAL GOVERNMENT OF THE PROVINCE OF MPUMALANGA	R 320 000	D	RES
DUNDONALD-A		107		947			PROVINCIAL GOVERNMENT OF THE PROVINCE OF MPUMALANGA	R 6 500	V	RES
DUNDONALD-A		108		600			HLATSHWAYO ZANDILE ROSE AND 1 OTHER	R 13 000	V	RES
DUNDONALD-A		109		600			NKOSI NTOMBIFUTHI CRESTABEL AND 1 OTHER	R 40 000	D	RES
DUNDONALD-A		110		600			NHLOVU BEZWANI EMELINA AND 1 OTHER	R 50 000	D	RES
DUNDONALD-A		111		600			NHLOVU BEZWANI EMELINA AND 1 OTHER	R 5 500	V	RES
DUNDONALD-A		112		761			SIBEKO NTOMBINI FREDDA	R 5 500	IH	RES
DUNDONALD-A		113		730			ALBERT LUTHULI LOCAL MUNICIPALITY	R 45 000	D	RES
DUNDONALD-A		114		751			PROVINCIAL GOVERNMENT OF THE PROVINCE OF MPUMALANGA	R 13 000	V	RES
DUNDONALD-A		115		938			VILAKAZI MJOBELA JOSEPH	R 6 500	IH	RES
DUNDONALD-A		116		831			SHABANGU BUSISIWE CHRISTINAH AND 1 OTHER	R 70 000	D	RES
DUNDONALD-A		117		872			ALBERT LUTHULI LOCAL MUNICIPALITY	R 30 000	DR	RES
DUNDONALD-A		118		749			RADEBE SESI EMMAH AND 1 OTHER	R 14 000	V	RES
DUNDONALD-A		119		867			NKOSI ANNAH LINDENI AND 1 OTHER	R 50 000	D	RES
DUNDONALD-A		120		869			PROVINCIAL GOVERNMENT OF THE PROVINCE OF MPUMALANGA	R 70 000	D	RES
DUNDONALD-A		121		755			MOAGI DIKELED MPHO WELHEMINA AND 1 OTHER	R 30 000	DR	RES
DUNDONALD-A		122		927			SHABANGU BUSISIWE CHRISTINAH AND 1 OTHER	R 15 000	V	RES
DUNDONALD-A		123		810			PROVINCIAL GOVERNMENT OF THE PROVINCE OF MPUMALANGA	R 14 000	V	RES
DUNDONALD-A		124		630			PROVINCIAL GOVERNMENT OF THE PROVINCE OF MPUMALANGA	R 45 000	D	RES
DUNDONALD-A		125		630			MLANGENI LETTIE NTOMBIZODWA	R 12 000	V	RES
DUNDONALD-A		126		630			PROVINCIAL GOVERNMENT OF THE PROVINCE OF MPUMALANGA	R 35 000	D	RES
DUNDONALD-A		127		630			ALBERT LUTHULI LOCAL MUNICIPALITY	R 30 000	DR	RES
DUNDONALD-A		128		630			PROVINCIAL GOVERNMENT OF THE PROVINCE OF MPUMALANGA	R 60 000	D	RES
DUNDONALD-A		129		630			BUTHELEZI SAULINA SONILE	R 6 000	IH	RES
DUNDONALD-A		130		630			PROVINCIAL GOVERNMENT OF THE PROVINCE OF MPUMALANGA	R 6 000	BUC	RES
DUNDONALD-A		131		630			PROVINCIAL GOVERNMENT OF THE PROVINCE OF MPUMALANGA	R 6 000	V	RES
DUNDONALD-A		132		630			PROVINCIAL GOVERNMENT OF THE PROVINCE OF MPUMALANGA	R 12 000	V	RES
DUNDONALD-A		133		600			ALBERT LUTHULI LOCAL MUNICIPALITY	R 35 000	D	RES
DUNDONALD-A		134		600			PROVINCIAL GOVERNMENT OF THE PROVINCE OF MPUMALANGA	R 40 000	D	RES
DUNDONALD-A		135		600			PROVINCIAL GOVERNMENT OF THE PROVINCE OF MPUMALANGA	R 60 000	D	RES