



AREA: <u>ACORNHOEK</u>	PROJECT NO. <u>SEVILLE PEGGING</u>
FEEDER: <u>TINSWALA</u>	Item <u>1</u> of <u>1</u>
SUPPLY TO: <u>ESKOM</u>	
ESKOM REPRESENTATIVE: <u>PduPREEZ</u>	TEL: <u>0524683978</u>
DISTRIBUTION	FAX:

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

I/We, the undersigned (full names)

.....in my capacity as.....

.....of.....and duly thereto authorized

(\* 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 Nemakula Getrude .....in my capacity as.....

Clerk of Mmisi T/Council .....and duly thereto authorized

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

Address: .....Postal Code.....

Tel No.: .....

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

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

PORTION 3 SEVILLE 224 KU

situate in the Administrative District of THULAMAHASHE held by virtue of Title Deed/s number/s T3590/2010 extent 870,5808 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 *N.M.C.E.0015* 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 (nine)... 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.

 x.....

- 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:

.....

.....

.....

.....

.....

.....

There are at present giraffes on the property..... Yes / No

In the future there will be giraffe on the property..... Yes / No

*(Handwritten signature)*

*(Handwritten signature)*

Signed at Islington on this 18 day of July 2016

AS WITNESSES:

1. [Signature]

MINI TRADITIONAL COUNCIL  
2014-07-18  
[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. ....

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

2. ....

For Office use:

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

AS WITNESSES:

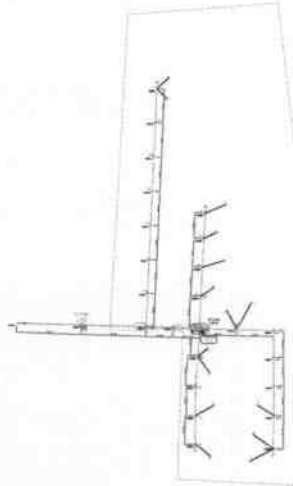
1. ....

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

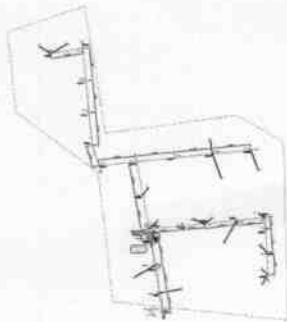
2. ....

(\* Delete whichever is not applicable)

RED LINE INDICATES PROPOSED ROUTE



# Seville 224 KU Portion 3



DISTRIBUTION  
ENGINEERING (NORTHERN REGION)

EngSurv cc.


Pieter du Preez

Tel : 082 448 3978  
FAX: (015) 2988 306



WITNESS

1. \_\_\_\_\_  
2. \_\_\_\_\_

  
REGISTERED OWNER

ROUTE/SITE TINSWALA

PROJECT No. SEVILLE PEGGING

PROPERTY PORTION 3

SEVILLE 224 KU

COMP 2431/CBS SCALE 1:25000



## Property Enquiry Details



Property enquiry results for "ku, 224, 3" in the Deeds Registry at "MPUMALANGA"

### Property detail:

Deeds registry	MPUMALANGA
Property type	FARM
Farm name	SEVILLE
Farm number	224
Portion	3
Province	MPUMALANGA
Registration division/Administrative district	KU
Local authority	NOT AVAILABLE
Previous description	(GAZANKULU)
Diagram deed number	T6613/948
Extent	870.5808 H
LPI Code	T0KU00000000022400003

### Title Deeds detail:

Document	Registration date	Purchase date	Amount	Image Scanned reference	Document copy?
T17882/1962	19620824	-	SECT 239	20100714 07:36:05	Yes

### Owners detail:

Document	Full name	Identity Number	Share	Person Enquiry?
T17882/1962	NATIONAL GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA	-	-	Yes
T8590/2010	NATIONAL GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA	-	-	Yes

### Endorsements / Encumbrances:

Endorsement / Encumbrance	Holder	Amount	Image Scanned reference	Document copy?
I-8139/2006C	-	-	20061207 09:41:32	Yes
KU,224,3	-	-	19880101 07:47:27	Yes
GAZANKULU	-	-	-	Not available
INFO FROM PRETORIA DEEDS REGIS	-	-	-	Not available

### History:

Document	Holder	Amount	Image Scanned reference	Document copy?
T17882/1962	S A ONTWIKKELINGSTRUST	-	20100714 07:36:05	Yes
T17882/1962	GOVERNMENT OF GAZANKULU	-	20100714 07:36:05	Yes

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Requested by A0022479 with user reference None on: Sunday, 20 July 114 19:33

DeedsWeb Version 4.0.1

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