

DEED OF TRANSFER: 000011075/2011

Over PORTION 4 OF THE FARM BRAMBER 313

REMAINING EXTENT OF THE FARM BRAMBER SOUTH 349

REMAINING EXTENT OF THE FARM BRAMBER CENTRAL 348

In the name of: BARBERTON MINES PROPRIETARY LIMITED
REGISTRATION NUMBER 1938/011761/07



P.J. Lemmer

P.J. Lemmer (B. Juris I.I.B.)

Prokureurs, Boedelberedderaars
Attorneys, Administrator of
Estates

Presidentstraat 65 President Street Barberton 1300 ☒ 11
☎ (013) 71-23165\6 Fax (013) 71-24176 e-pos/e-mail lemkie@telkomsa.net

in assosiasie/association with LEMMER & KIE/CO

Combrink Greyling

83

Tel: 013 752 6995

DEED OF TRANSFER

in favour of

BARBERTON MINES PROPRIETARY LIMITED

over

PORTION 4 OF THE FARM BRAMBER 313

REMAINING EXTENT OF THE FARM BRAMBER SOUTH 349

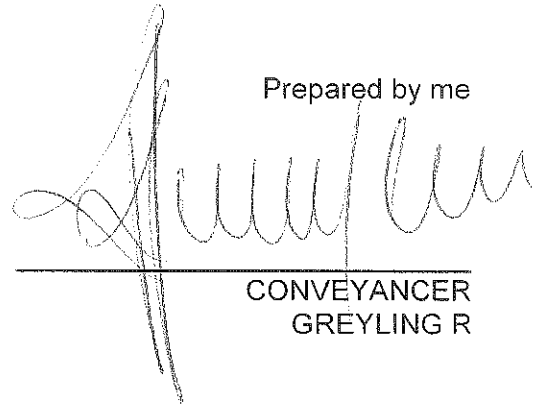
REMAINING EXTENT OF THE FARM BRAMBER CENTRAL 348

COMBRINK GREYLING
PO BOX 19631
THE VILLAGE
1218
Tel: 013 752 6995

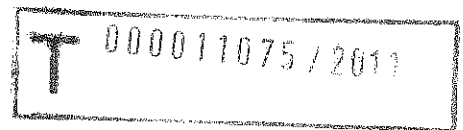
Combrink Greyling
PO Box 19631
The Village
1218

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Prepared by me



CONVEYANCER
GREYLING R



DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

REINETTE GREYLING

appeared before me, REGISTRAR OF DEEDS MPUMALANGA, at Nelspruit, he the said Appearer being duly authorised thereto by a Power of Attorney signed at NELSPRUIT on 26 SEPTEMBER 2011 and granted to him by

MFANA MOSES MABUZA
Identity Number 5910015474088
Unmarried

And the Appearer declared that his said principal had truly and legally sold on 8 July 2011 and that he, the said Appearer, in his capacity aforesaid, did, by these presents, cede and transfer to and on behalf of

BARBERTON MINES PROPRIETARY LIMITED
Registration Number 1938/011761/07

its Successors in Title or assigns, in full and free property

1. **PORTION 4 of the farm BRAMBER 313, Registration Division J.U., Province of MPUMALANGA**

MEASURING 107,4932 (ONE HUNDRED AND SEVEN COMMA FOUR NINE THREE TWO) HECTARES

First registered by Certificate of Consolidated Title T15368/1959 with Diagram A 4005/1955 relating thereto and held by Deed of Transfer T122700/2006.

SUBJECT to the following conditions:

- A. GEDEELTE A van die plaas BRAMBER voormeld, waarvan die gedeelte van voormelde Gedeelte 4 wat op die kaart daarvan, A 4005/1955, aangetoon word deur die figuur a middle van Suid-Kaapsrivier, b C D E F A a (uitgeslote die figuur G H J K P Q R S T U V L M N O G, welke kaart geheg is aan Sertifikaat van Verenigde Title T 15368/1959 deel uitmaak, is onderworpe aan

"A Water Right Grant No. 117 (old No. 285), copy whereof is annexed to Deed of Transfer No. 6085/1938, issued under the provisions of the Gold Law, to one Mazeppa by whom it was disposed of and last transferred to to ISRAEL UNTERHALTER in terms of Deed of Transfer No. 126/1916 registered in the Office of the Registrar of Mining Titles at Johannesburg on the 9th of August, 1916, and defined by a Plan No. R.M.T.55".

- B. Die gedeelte vn voormelde Gedeelte 4 wat op die kaart daarvan A.4005/1955, aangetoon word deur die figuur a, middle van Suid Kaaprivier, b C D E F A a (uitgeslote die figuur G H J k P Q R S T U V L M N O G), is onderworde aan die volgende voorwaardes:

- (a) "The owner shall not carry or permit or autorise the carrying on of any business required to be licenced in terms of any law in force in the Union of South Africa on the property without the consent of the owner of Portion 2 (a Portion of Portion A) of the farm Bramber No. 167, district Barberton, held by virtue of Certificate of Registered Title No. 18279/1953."

- (b) "Subject to a right in perpetuity in favour of Portion 2 (a Portion of Portion A) of the farm Bramber No. 167, district Barberton, held by virtue of Certificate of Registered Title NO. 19279/1953 to lay a

pipe line over the property from the nearest convenient point on the South Kaap River to the said Portion 2 for the purpose of conveying water for primary purposes of the said Portion 2."

- C. (a) Die Gedeelte van voormelde Gedeelte 4 wat op die kaart daarvan, A 4005/1955, geheg aan Sertifikaat van Verenigde Titel T 15368/1959 aangetoon word deur die figuur a, middle van Suid Kaaprivier, b C D E F A a (uitgeslote die figuur G H J K P Q R S T U V L M N O G), van die plaas BRAMBER SOUTH Nr. 461, in die distrik Barberton, getranspoteer onder Transportakte T 18281/1953, is onderworpe aan Notariële Akte 564/1956-S, waaronder die reg aan EASTERN TRANSVAAL CONSOLIDATED MINES LIMITED verleen word om vir 20 jaar lank elektrisiteit oor die gemelde eiendomme te vervoer met bykomende regte en onderhewig aan kondisies soos uit die voormelde akte en die kaart daaraan geheg meer volledig blyk.

- (b) Die serwituut vermeld in paragraaf F(a) hierbo is gewysig deur die volgende voorwaarde soos vervat in Sertifikaat van Verenigde Titel 15368/1959:

"Kragtens Notariële Akte van Wysiging van Serwituut K 1621/1975-S, gedateer 16 Januarie 1975, word Notariële Akte van Wysiging van Serwituut K 1621/1975-S, gedateer 16 Januarie 1975, word Notariële Akte van Serwituut K564/1956-S, gedateer 13 Februarie 1956, soos omskryf in Voorwaarde E op bladsye 5 en 6 hierin gewysig soos meer ten volle sal blyk uit gesegde Notariële Akte van Wysiging."

- D. Een onverdeelde halwe aandeel in die eiendom is

"verder onderhewig aan die lewenslange woonreg ten opsigte van die huis geleë op die eiendom hiermee getranspoteer, ten gunste van SUSANNA LAUBSCHER (gebore Venter op 23 November 1891) weduwee",

Welke woonreg geskep was kragtens die Gesamentlike Testament van wyle MATTHYS MICHIEL LAUBSCHER en nagelate eggenote SUSANNA LAUBSCHER (gebore Venter) geteken te BARBERTON op 18 September 1969, en as voorwaarde G(b) opgeneem en vervat is in Akte van Transport T 46196/1974.

- E Die eiendom is onderhewig aan die volgende serwituut soos vervat in Sertifikaat van Verenigde Titel T15368/1959:

- (a) Kragtens Notariële Akte K637/1987-S geregistreer op 5 Maart 1987, is die reg aan ESKOM verleen om elektrisiteit oor die hierinvermelde eiendom te vervoer, tesame met bykomende regte, en onderhewig aan kondisies soos meer volledig sal blyk uit gesegde Notariële Akte en kaart, afskrifte waarvan hieraan geheg is.

- (b) Kragtens bogemelde Notariële Akte word K564/1956-S, wat gesedeer is onder Akte van Sessie van Serwituut K1267/1975-S, en soos gewysig deur K1621/1975-S, hiermee gekanselleer."

AND FURTHER subject to all such conditions as are mentioned or referred to in the aforesaid deeds; and

2. **REMAINING EXTENT of the farm BRAMBER SOUTH 349, Registration Division J.U., Province of MPUMALANGA**

MEASURING 105,9792 (ONE HUNDRED AND FIVE COMMA NINE SEVEN NINE TWO) HECTARES

First registered by Crown Grant 173/1934 with diagram relating thereto and held by Deed of Transfer T122700/2006

SUBJECT to the following conditions:

- A. That the Government shall at times have the right in such manner and under such conditions it may thing fit: to construct and form dams and reservoirs upon the land, and to erect, make and construct telegraph and telephone lines, roads, railways, water-furrows, pipe-lines, canals and drains, upon and conduct the same through and over the land in the interest of the public or of the owner, lessee, occupier of or holder of a Mining Title on any land adjoining or in the neighbourhood of the land, and to take materials therefrom for the foregoing purposes on payment (save as may be otherwise provided by law) to the owner of such sums of money as compensation for damage or damages actually sustained as may be mutually agreed to between the government and the owner, or failing such agreement, as may be determined by arbitration in manner provided by the Arbitration Ordinance, 1904, (Transvaal) provided that the Arbitrators may set off against the loss or damages caused to the owner, the benefit, instant or prospective which shall or may derive in consequence of the construction of any of the said works.
- B. Die Plaas Bramber South 349 voormeld is onderhewig aan die volgende voorwaarde:
- "The Owner shall not carry on or permit or authorise the carrying on of any business required to be licensed in terms of any law in force in the Republic of South Africa on the property without the consent of the owner of Portion 2 (a Portion of Portion A) of the farm Bramber No. 367 J.U., district Barbertin, held by virtue of Certificate of Registered Title T 18279/1953.
- C. Kragtens Notariële Akte 987/1959-S, geregistreer 19 September 1959, is die reg aan BARBERTON MINES LIMITED verleen om elektrisiteit oor die gemelde Plaas BRAMBER SOUTH Nr. 349 te vervoer, tesame met bykomende regte en onderhewig aan kondisies soos meer volledig sal blyk uit gesegde Notariële Akte en kaart.

- D. Kragtens Notariële Akte van Wysiging van Serwituut K1621/1975-S, gedateer 16 Januarie 1975, is Notariële Akte van Serwituut K564/1956-S, gedateer 13 Februarie 1956, gewysig, soos meer ten volle sal blyk uit die gesegde Notariële Akte van Wysiging.
- E. Kragtens Notariële Akte 1983/1976-S, geregistreer op 8 Julie 1967, is die reg aan ESKOM verleen om elektrisiteit oor die Plaas BRAMBER CENTRAL 348 voormeld te vervoer, tesame met bykomende regte en onderhewig aan kondisies soos meer volledig sal blyk uit gesegde Notariële Akte en kaart.
- F. Die eiendom is onderhewig aan die volgende serwituut soos vervat in Sertifikaat van Verenigde Titel T15368/1959:
- (a) Kragtens Notariële Akte K637/1987-S, geregistreer op 5 Maart 1987, is die reg aan EVKOM verleen om elektrisiteit oor die hierinvermelde eiendom te vervoer, tesame met bykomende regte, en onderhewig aan kondisies soos meer volledig sal blyk uit gesegde Notariële Akte en kaart, afskrifte waarvan hieraan geheg is.
- (b) Kragtens bogemelde Notariële Akte word K564/1956-S, wat gesedeer is onder Akte van Sessie van Serwituut K1267/1975-S en soos gewysig deur K1621/1975-S, hiermee gekanselleer.
- G. (a) Die gedeelte van voormelde Gedeelte 4 wt op die kaart daarvan, A4005/1955, geheg aan Sertifikaat van Verengide Titel T15368/1959 aangetoon word deur die figuur a, middle van Suid Kaaprivier b C D E F A a (uitgesklote die figuur G H J K P Q R S T U V L M N O G), van die plaas BRAMBER SOUTH Nr. 461, in die distrik Barberton, getranspoteer onder Transportakte T18281/1953, is onderworpe aan Notariële Akte 564/1956-S, waaronder die reg aan EASTERN TRANSVAAL CONSOLIDATED MINES LIMITED verleen word, om vir 20 jaar lank elektrisiteit oor die gemelde eiendomme te vervoer met bykomende regte en onderhewig aan kondisies soos uit die voormelde akte en die kaart daaraan geheg meer volledig blyk.
- (b) Die serwituut vermeld in paragraaf G(a) hierbo is gewysig deur die volgende voorwaarde soos vervat in Akte van Transport T18281/1953:
- "Kragtens Notariële Akte van Wysiging van Serwituut K1621/1975-S, gedateer 16 Januarie 1975, word Notariële Akte van Serwituut k564/1956-S, gedaateer 13 Februarie 1956, gewysig soos meer ten volle sal blyk uit gesegde Notariële Akte van Wysiging."

AND FURTHER subject to all such conditions as are mentioned or referred to in the aforesaid deeds, and

3. **REMAINING EXTENT of the Farm BRAMBER CENTRAL 348 ,
Registration Division J.U., Province of MPUMALANGA**

**MEASURING 55,1660 (FIFTY FIVE COMMA ONE SIX SIX ZERO)
HECTARES**

First registered by Crown Grant 173/1934 with diagram relating thereto
and held by Deed of Transfer T122700/2006

SUBJECT to the following conditions:

A. That the Government shall at times have the right in such manner and under such conditions it may think fit: to construct and form dams and reservoirs upon the land, and to erect, make and construct telegraph and telephone lines, roads, railways, water-furrows, pipe-lines, canals and drains, upon and conduct the same through and over the land in the interest of the public or of the owner, lessee, occupier of or holder of a Mining Title on any land adjoining or in the neighbourhood of the land, and to take materials therefrom for the foregoing purposes on payment (save as may be otherwise provided by law) to the owner of such sums of money as compensation for damage or damages actually sustained as may be mutually agreed to between the government and the owner, or failing such agreement, as may be determined by arbitration in manner provided by the Arbitration Ordinance, 1904, (Transvaal) provided that the Arbitrators may set off against the loss or damages caused to the owner, the benefit, instant or prospective which shall or may derive in consequence of the construction of any of the said works.

B. Die Plaas Bramber South 349 voormeld is onderhewig aan die volgende voorwaarde:

"The Owner shall not carry on or permit or authorise the carrying on of any business required to be licensed in terms of any law in force in the Republic of South Africa on the property without the consent of the owner of Portion 2 (a Portion of Portion A) of the farm Bramber No. 367 J.U., district Barberton, held by virtue of Certificate of Registered Title T 18279/1953."

C. Die Plaas BRAMBER CENTRAL 348 voormeld is

"SUBJECT to the condition that the land shall be subject to a right of way 9,45 metres wide by a convenient route to the nearest public road in favour of the owner of Lots 124 and 126 Section A, Kaap Block, district Barberton."

- D. KRAGTENS Notariële Akte 987/1959-S, geregistreer op 19 September 1959, is die reg aan BARBERTON MINES LIMITED verleen om elektrisiteit oor die Plaas BRAMBER CENTRAL 348 voormeld te vervoer, tesame met bykmende regte en onderhewig aan kondisies soos meer volledig sal blyk uit gesegde Notariële Akte en kaart.
- E. Kragtens Notariële Akte van Serwituut K01891/1999-S, gedateer 29 Maart 1999, is die binnegemelde eiendom onderhewig aan 'n kragleidingserwituut ten gunste van ESKOM soos aangedui deur die lyne ABc en DEF op kaart LG. Nr. 19836/1998, 11 meter wyd aan weerskante van die bogenoemde lyne, soos meer volledig sal blyk uit gemelde notariële akte.
- F. Kragtens Notariële Akte 1983/1976-S, geregistreer op 8 Julie 1967, is die reg aan ESKOM verleem om elektrisiteit oor die Plaas BRAMBER CETNRAL 348 voormeld te vervoer, tesame met bykomende regte en onderhewig aan kondisies soos meer volledig sal blyk uit gesegde Notariële Akte en kaart.

AND FURTHER SUBJECT to such conditions as are mentioned or referred to in the aforesaid Deed/s.

WHEREFORE the Appearer, renouncing all right and title which the said

MFANA MOSES MABUZA, Unmarried

heretofore had to the premises, did in consequence also acknowledge him to be entirely dispossessed of, and disentitled to the same, and that by virtue of these presents, the said

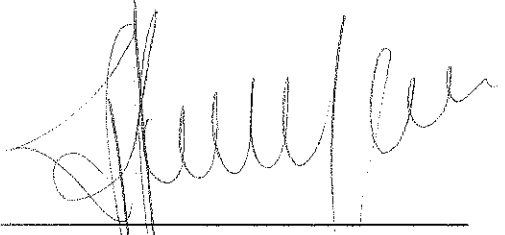
BARBERTON MINES PROPRIETARY LIMITED
Registration Number 1938/011761/07

its Successors in Title or Assigns, now is and henceforth shall be entitled thereto, conformably to local custom, the State, however reserving its rights, and finally acknowledging the purchase price to be the sum of R2 000 000,00 (TWO MILLION RAND)

IN WITNESS WHEREOF, I the said Registrar, together with the Appearer q.q., have subscribed to these presents and have caused the Seal of Office to be affixed thereto.

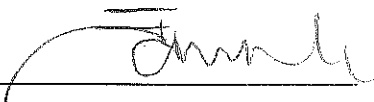
THUS DONE AND EXECUTED at the Office of the REGISTRAR OF DEEDS MPUMALANGA, at Nelspruit on

2011-10-28



q.q.

In my presence



REGISTRAR OF DEEDS MPUMALANGA



CONSOLIDATED TITLE DIAGRAM
This diagram comprises TWO sheets

SHEET NO. 2

S.G. No. A

5493/87

Approved

[Signature]

for
Surveyor-
General

1987-08-04

The farm
FAIRVIEW NO. 542-JU

Bramber
Central
No. 348-JU

Bramber
East No. 314-JU

Worral
No. 352JU

Bramber
South
No. 349-JU

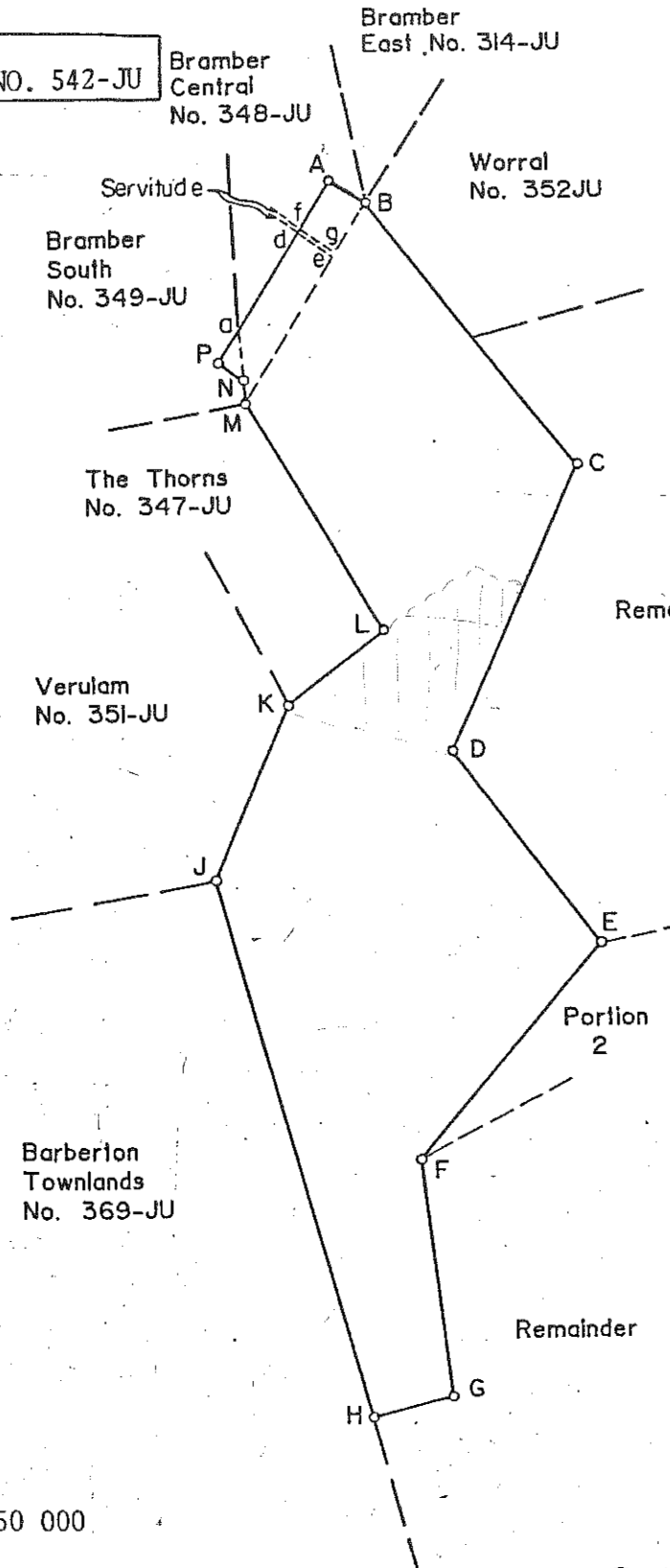
The Thorns
No. 347-JU

Verulam
No. 351-JU

Barberlon
Townlands
No. 369-JU

No. 346-JU

Bickenhall



SCALE : 1:250 000

Compiled in July 1987

by me, *[Signature]*
A.P. MARSHALL :
Professional Land Surveyor