



AREA <u>NTUNDA</u>	PROJECT NUMBER <u>NTUNDA ELECTRIFICATION</u>
FEEDER <u>NKOMAZI MZINI, MGBHELE</u>	ITEM OF
SUPPLY TO <u>NTUNDA VILLAGE</u>	
ESKOM REPRESENTATIVE <u>Mandlazi Petros</u>	TEL <u>(012) 484 5278</u>
*DISTRIBUTION/*TRANSMISSION	FAX <u>036 718 4608</u>

**WAYLEAVE CONTRACT
POWERLINE AND/OR CABLE AND ASSOCIATED INFRASTRUCTURE**

1. GENERAL

1.1 Identification of parties:

- 1.1.1 Contractor means any entity appointed as an independent contractor to execute works on the Property in the exercise of the Rights
- 1.1.2 Eskom means Eskom Holdings SOC Ltd, a public company with registration number 2002/015527/30 with its head office at Megawatt Park, 2 Maxwell Drive, Sunninghill, Sandton
- 1.1.3 Lessee means the holder of a lease registered against the title deed of the Property and is _____, a company / close corporation / trust / partnership / natural person / Government department / tribal authority of _____, herein represented by _____, who through signature here below, warrants his or her authority to sign on behalf of the Lessee
- 1.1.4 Owner means MATSAMO, a company / close corporation / trust / partnership / natural person / Government department / tribal authority of ZIPHO JOSEPH MALULEKA herein represented by 590607530805, who through signature here below, warrants his or her authority to sign on behalf of the Owner
- 1.1.5 Property means MATABULA 701 JU




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1 1 6 Usufructuary means _____, a company / close corporation / trust / partnership / natural person / Government department / tribal authority of _____, herein represented by _____, who through signature here below, warrants his or her authority to sign on behalf of the Usufructuary

1 1 7 Servitude holder means the holder of a servitude [insert servitude deed number and diagram number if diagram available] registered against the property held by _____ [insert the name and identification number], a company / close corporation / trust / partnership / natural person / Government department / tribal authority of _____ [insert the address], herein represented by _____ [insert the name], who through signature here below, warrants his or her authority to sign on behalf of the servitude holder

2. THE RIGHTS

2 1  The Owner grants, generally, an irrevocable right (herein the "Rights"), in perpetuity and free of charge, to Eskom and over the Property, for the distribution and transmission of electricity and related purposes, substantially along the route indicated by letters _____ on the attached sketch plan, comprising an area 9 meters on either side of the centre line of the Goods, once they are built (the "Wayleave Area"), and the Rights include those set out in paragraph 2 hereof

2 2 To the extent necessary to give effect hereto, the Owner's spouse, Lessee, Usufructuary and/or Servitude holder agrees to the granting of the Rights by signing below, and also to adhering to the Obligations under 3 2 to 3 5, by signing below

2 3 The Rights, specifically, include the rights to

2 3 1 convey electricity and telecommunication across the Property,

2 3 2 erect structures, conductors, cables, appliances and, without limitation, everything else as may be necessary or convenient in exercising the Rights (herein referred to as the "Goods") and the Owner agrees that structure-supporting mechanisms may reasonably extend beyond the Wayleave Area where it is necessary to safely secure the Goods,

2 3 3 enter and be upon the Property at any time in order to construct, erect, operate, use, maintain, repair, re-erect, alter or inspect the Goods or in order to gain access to any adjacent property in the exercise of rights similar to the Rights,

2 3 4 have these Goods remain on the Property for so long as either Eskom or the Owner requires them to,

2 3 5 extend the Goods to other customers, suppliers or contracting parties of Eskom, over the Property,

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