



AREA: Kathu / Kuruman	PROJECT NO. 237653259
FEEDER: Lylyveld / Dingle 22kv	
SUPPLY TO: Vodacom (PTY) LTD	
ESKOM REPRESENTATIVE: E v/d Westhuizen	TEL: 0844422262
*DISTRIBUTION/*TRANSMISSION	FAX: 086 656 1507

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

I/We, the undersigned (full names) MIR MARK OASTHUIZEN

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

(Identity number: 6312295019 080 married in/out of community of property with/without
accrual/marital power)

Address: 7804 HADENA STREET
POSTMASBURG Postal Code 8420

Tel No.: 082 78 47 192
being the REGISTERED OWNER/S
and

(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:

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MAO 29
MAO 29

Bruce 544 HM Remain der -
King 561 HM Remainder.

MAO

situate in the Administrative District of Northern Cape.

number/s T349/1954/ T349/1954 held by virtue of Title Deed/s extent 2346.86 Ha / 2320.3077 Ha.

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(* 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 A-E 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").

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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 -

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- 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 within9..... 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.

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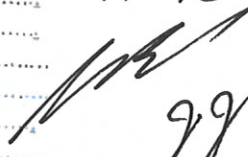
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4. The right of way hereby granted to Eskom -

- 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:

x PLEASE REFER TO THE
 ANNEXURE MARKED AS ANNEXURE MAO
 "K1".

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Signed at KHUMANI on this 20 day of JANUARY 2020

AS WITNESSES:

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

2. [Signature]

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.

[Signature]
[Signature]
[Signature]

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

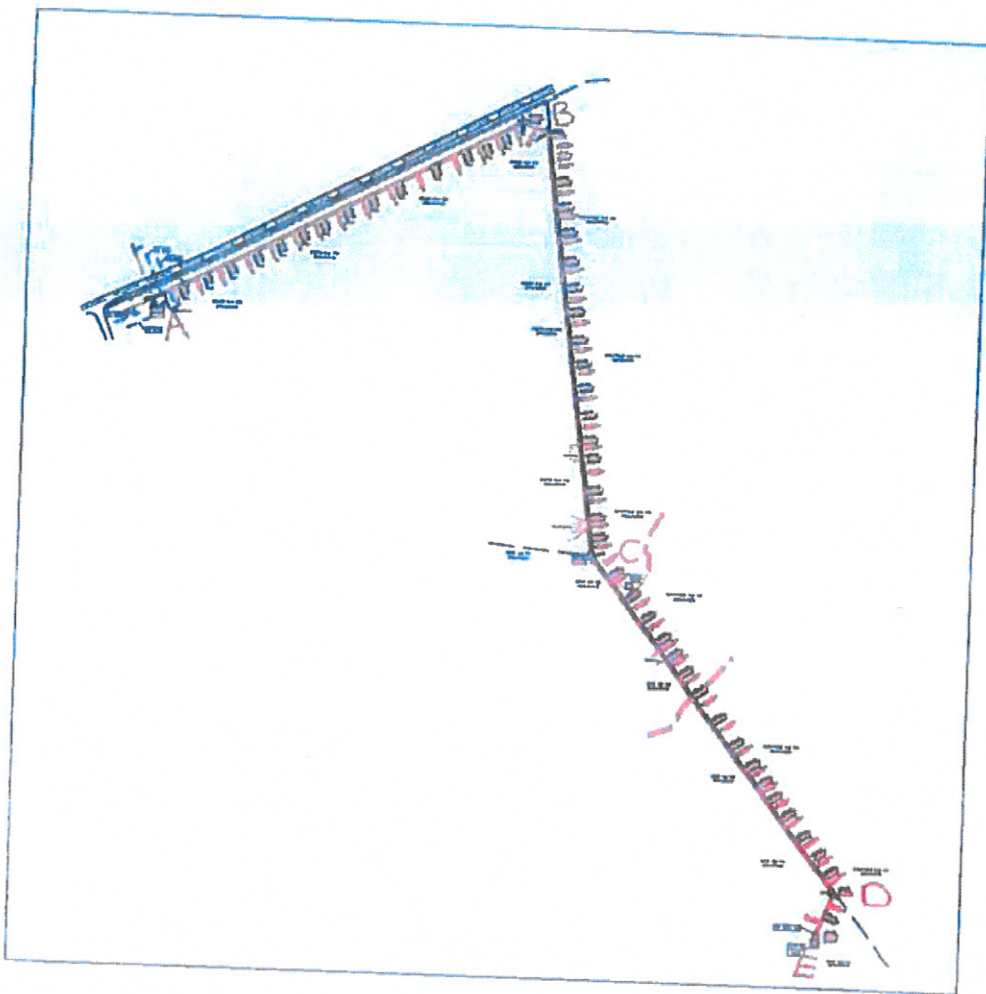
AS WITNESSES:

1.
 for and on behalf of
ESKOM HOLDINGS LIMITED

2.

(* Delete whichever is not applicable)

RED LINE INDICATES POWERLINE ROUTE



WAYLEAVE
NCOU

Property description:

Disclaimer
Geographic Mapping Kimberly
are not responsible for any errors
in technical details displayed
on this map.

Registered Owner: X _____ Eskom: _____ Project No: _____

Witness 1: X _____ Witness 1: _____ Date: _____

Witness 2: X _____ Witness 2: _____ Portion of map no: _____

Scale: _____



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[Signature]
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Annex B - Distribution Environmental Screening Document (DESD)
(Informative)

Reticulation Powerlines and Ancillary Services

Ratified and accepted by
Environmental Practitioner
Environmental Specialist
Head of Engineering Survey
(one signature please)

Accepted by Land Owner/s/Users Land Owners
I have seen the completed document and accept the
recommendations made X

Form completed by SJ Nortje Assessor/s Signature [Signature]

in consultation with : Y Signature: Y

CAPACITY (e.g. land owner, specialist): Land Owners

DATE COMPLETED:

Instructions

1. Fill the report in as neatly and completely as possible.
2. Where the question / statement is not applicable mark N/A.
3. Indicate sensitive areas on a map and/or spanning plans.
4. When in doubt, consult the Environmental Practitioner in your region

The purpose of this DESD is to

- Determine whether or not the project should be subject to R543-7, published in terms of the National Environmental management Act 107 of 1998.
- Identify and mitigate the negative impact of Eskom's activities to a minimum in line with both Legislation and Eskom's Environmental Policies.
- This report is a guide to Route Selection, Construction and Field Services.

NOTE Complete the report before the survey!!!
This is not an office exercise.

Extra sheets of paper may be added and referenced if insufficient space has been provided.

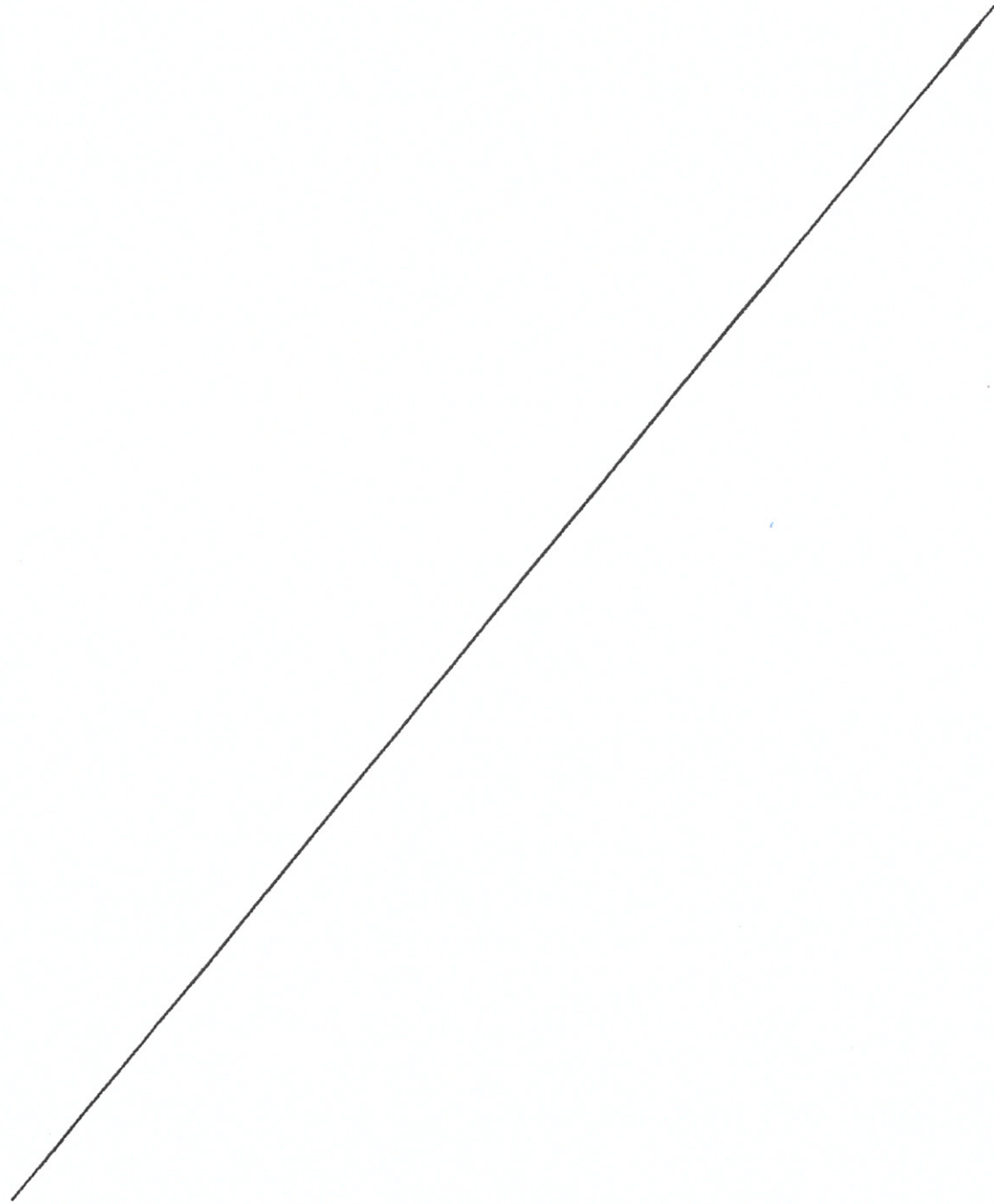
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SPECIAL CONDITIONS:

- That Eskom can only enter the Property with reasonable notice, save in cases of emergency;
- That the Owner can only give Eskom access to adjacent properties owned by it; and
- Due to the fact that the Owner is an operating mining company, in the event that there is a future project(/s) where the Servitude Area is located, that through negotiation with Eskom, the route of the Servitude Area may be adjusted, the costs therefor will be for Owner's account.



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/s/ [Signature]
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