

And the appearer declared that his said principal had, on 17 August 2007, truly and legally sold by Private Treaty, and that he, the said Appearer, in his capacity aforesaid, did, by virtue of these presents, cede and transfer to and on behalf of:

**MIXGOLD TRADING CC**  
**No. CK 2007/171520/23**

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

PORTION 5 (OF 2) OF LOT S44 NO. 5616, REGISTRATION DIVISION FS,  
PROVINCE OF KWAZULU NATAL;

IN EXTENT 1,1374 (ONE COMMA ONE THREE SEVEN FOUR) HECTARES

FIRST TRANSFERRED by Deed of Transfer No. 5840/1942 with diagram  
annexed thereto and held by Deed of Transfer No. T 40854/1995

**THIS PROPERTY IS TRANSFERRED:-**

- A. Subject to the conditions of the original Government Grant No. 5616 so far as now applicable.
- B. Subject to a servitude of right of way 9,45 metres wide along the line lettered E.A. in the diagram of said Sub 5 (of 2) in favour of the Remainder of Sub B of Lot S44 No. 5616 as created in said Deed of Transfer No. 5840/1942.
- C. Subject to the following condition imposed by the Controlling Authority in terms of the Ribbon Development Act No. 21 of 1940, created in Deed of Transfer No. 4104/1947 namely-

"No new buildings or any structures whatsoever shall be erected within a distance of 23,61 metres of the centre line of the Main Road without the written approval of the Controlling Authority as defined in Act 21 of 1940."

*ahf*