

MEMORANDUM OF ADVICE

TO: **Tania Volschenk**

FROM: Justin Truter

DATE: 23 February 2024

SUBJECT: **NATIONAL RESEARCH FOUNDATION: REZONING AND THE APPLICABILITY OF THE SUBDIVISION OF AGRICULTURAL LAND ACT, 70 OF 1970 ("SALA"): 64 FARM UNITS LOCATED IN KAROO HOOGLAND MUNICIPALITY, KAREEBERG MUNICIPALITY AND HANTAM MUNICIPALITY (REFER TO ANNEXURE 1 FOR FULL PROPERTY DESCRIPTION) (COLLECTIVELY REFERRED TO AS THE "SUBJECT PROPERTY")**

Introduction and background:

- 1 Our instructions are that the National Research Foundation ("NRF") are in the process of finalising the acquisition of limited real rights over the subject property (which is not currently owned by the State) and which will be registered in the Deeds Office.
- 2 Our Property team are assisting with the rezoning application of the subject property.
- 3 The question has arisen whether the NRF will require the national Minister of Agriculture's approval in terms of section 3 of SALA, to permit the rezoning of the property from Agriculture to respectively Extended Astronomy Zone (iro Karoo Hoogland and Kareeberg Municipalities) and Utility Zone IV (iro Hantam Municipality) to accommodate the proposed uses and for the registration of servitudes in favour of the NRF on agricultural land.

THE STATUTORY SCHEME AND DISCUSSION:

- 4 SALA restricts various actions in respect of agricultural land, as defined, except with the permission of the Minister. These restricted actions are listed in section 3 of SALA which provides as follows:

"Subject to the provisions of section 2 -

- (a) agricultural land shall not be subdivided;*
- (b) no undivided share in agricultural land not already held by any person, shall vest in any person;*
- (c) no part of any undivided share in agricultural land shall vest in any person, if such part is not already held by any person;*
- (d) no lease in respect of a portion of agricultural land of which the period is 10 years or longer, or is the natural life of the lessee or any other person mentioned in the lease, or which is renewable from time to time at the will of the lessee, either by the continuation of the original lease or by entering into a new lease, indefinitely or for periods which together with the first period of the lease amount in all to not less than 10 years, shall be entered into;*
- (e)*
 - (i) no portion of agricultural land, whether surveyed or not, and whether there is any building thereon or not, shall be sold or advertised for sale, except for the purposes of a mine as defined in section 1 of the Mines and Works Act, 1956 (Act 27 of 1956); and*
 - (ii) no right to such portion shall be sold or granted for a period of more than 10 years or for the natural life of any person or to the same person for periods aggregating more than 10 years, or advertised for sale or with a view to any such granting, except for the purposes of a mine as defined in section 1 of the Mines and Works Act, 1956;*
- (f) no area of jurisdiction, local area, development area, peri-urban area or other area referred to in paragraph (a) or (b) of the definition of 'agricultural land' in section 1, shall be established on, or enlarged so as to include, any land which is agricultural land;*
- (g) no public notice to the effect that a scheme relating to agricultural land or any portion thereof has been prepared or submitted under the ordinance in question, shall be given, unless the Minister has consented in writing."*

5 **There is no reference in section 3 to the "rezoning" of agricultural land or to the registration of servitudes over agricultural land and we do not believe that the rezoning of agricultural land or registration of servitudes over agricultural land on its own will require the Minister's consent under SALA.**

6 SALA defines "agricultural land" to mean any land except:

6.1 *land situated in the area of jurisdiction of a municipal council, city council, town council, village council, village management board, village management council, local board, health board or health committee, and land forming part of, in the province of the Cape of Good Hope, a local area established under section 6(1)(i) of the Divisional Councils Ordinance, 1952, and, in the province of Natal, a development area as defined in section 1 of the Development and Services Board Ordinance, 1941, and in the province of the Transvaal, an area in respect of which a local area committee has been established under section 21(1) of the Transvaal Board for the Development of Peri-Urban Areas Ordinance, 1943, but excluding any such land declared by the minister after consultation with the relevant executive committee and by notice in the Government Gazette to be agricultural land for the purposes of the Act;*

6.2 *land which forms part of any area subdivided in terms of the Agricultural Holdings (Transvaal) Registration Act, or which is a township as defined in section 102(1) of the Deeds Registries Act, but excluding a private township as defined in section 1 of the Town Planning Ordinance, 1949, not situated in an area of jurisdiction or a development area referred to in paragraph 3.2.1;*

6.3 *land **of which the state is the owner or which is held in trust by the state or a minister for any person;***

6.4 *land which the minister, after consultation with the relevant executive committee and by notice in the Gazette, excludes from the provisions of the Act.*

(Own emphasis)

7 Although we are of the considered view that the Minister's consent in terms of SALA is not required for the rezoning of agricultural land and registration of servitudes over agricultural land, we also point out that once the subject property is owned by the

state or is held in trust by the state for any person, it will be excluded from the definition of agricultural land for the purposes of SALA.

- 8 Section 2(a) of SALA sets out the following "*Actions which are excluded from the application of the Act*":

(i) *any subdivision of land for the purpose of transferring a portion thereof to the State or a statutory body;*

(ii) *the transfer of an undivided share in land to the State or a statutory body;*

(iii) **the sale or grant of any right to any portion of agricultural land to the State or a statutory body.**

IS THE NRF PART OF THE "STATE", AS CONTEMPLATED IN THE EXEMPTION FROM THE DEFINITION OF "AGRICULTURAL LAND" IN SALA?

- 9 "State" is not defined in SALA or the Constitution.

- 10 The term "*organ of state*" is a term used in the Constitution and in legislation enacted to give effect to the Constitution. In section 239 of the Constitution "organ of state" it is defined as follows:

10.1 *"any department of state or administration in the national, provincial or local sphere of government; or*

10.2 *any other functionary or institution –*

10.2.1 *exercising a power or performing a function in terms of the Constitution or a provincial constitution; or*

10.2.2 **exercising a public power or performing a public function in terms of any legislation,** but does not include a court or a judicial officer".

(Own emphasis)

- 11 In **National Gambling Board v Premier, Kwazulu-Natal, and Others**¹ it was held that both the National Gambling Board, a juristic person established by section 2 of the National Gambling Act²⁰, and the Kwazulu-Natal Gambling Board, a juristic person established by the Kwazulu-Natal Gambling Act²¹, were organs of state as intended in section 239 of the Constitution²².
- 12 The NRF is a National Public Entity for the purposes of the Public Finance Management Act, 1999 ("PFMA") and is listed in Schedule 3 of the PFMA along with other National Public Entities such as SARS.
- 13 The PFMA defines a "national public entity" as — *"(a) a national government business enterprise; or (b) a board, commission, company, corporation, fund or other entity (other than a national government business enterprise) which is— (i) established in terms of national legislation; (ii) fully or substantially funded either from the National Revenue Fund, or by way of a tax, levy or other money imposed in terms of national legislation; and (iii) accountable to Parliament."*
- 14 The NRF's financial affairs and procurement processes are governed by the PFMA and related Treasury and Procurement Laws.
- 15 The NRF receives its mandate from the National Research Foundation Act 23 of 1998, as amended ("the Act"). According to Section 3 of the Act, the object of the NRF is to *"contribute to national development by: supporting, promoting and advancing research and human capacity development through funding and the provision of the necessary research infrastructure, in order to facilitate the creation of knowledge, innovation and development in all fields of science and technology, including humanities, social sciences and indigenous knowledge; developing, supporting and maintaining national research facilities; supporting and promoting public awareness of, and engagement with, science; and promoting the development and maintenance of the national science system and support of Government priorities."*
- 16 The NRF's vision is to *"identify and initiate pertinent and strategic partnerships with role-players within and beyond the National System of Innovation ("NSI") to respond to national priorities and international agendas to benefit society and ensure a better life for all."*

¹ (CCT32/01) [2001] ZACC 8; 2002 (2) BCLR 156; 2002 (2) SA 715 (21 December 2001)

- 17 The overseeing Department is the National Department of Science and Innovation ("DSI").
- 18 In our considered view, the rationale in the National Gambling Board matter would apply equally to the NRF which is a schedule 3 Public Entity in terms of the PFMA, established and governed in terms of the Act, which exercises a public function in terms of the Act, and must therefore similarly be regarded to be an organ of state.
- 19 In the absence of a definition of "state" in SALA, the term "state" must be given its ordinary meaning i.e. the government and any of its departments, agencies or components (including organs of state).
- 20 We are therefore of the view that the definition of "state" for the purposes of the exclusion from the definition of "agricultural land" in SALA must be extended to an "organ of state" as defined in the Constitution, which includes the NRF.

We advise accordingly.

WERKSMANS INC.

A handwritten signature in black ink, appearing to read 'J. Truter', with a stylized, cursive script.

PER. JUSTIN TRUTER

ANNEXURE 1: PROPERTY DESCRIPTION

KAROO HOOGLAND MUNICIPALITY

- 1.1 **REMAINDER OF THE FARM STEMREGT NUMBER 68**
SITUATED IN THE KAROO HOOGLAND MUNICIPALITY
DIVISION FRASERBURG, PROVINCE OF THE NORTHERN CAPE

IN EXTENT 1306,3698 HECTARES

Held by Deed of Transfer Number T2222/2004

Registered in the name of: **ALBERTUS DU TOIT BLOMERUS**

SERVITUDE REGISTERED: K31/2023S
- 1.2 **REMAINDER OF THE FARM DIE TUIN NUMBER 493**
SITUATED IN THE KAROO HOOGLAND MUNICIPALITY
DIVISION FRASERBURG, PROVINCE OF THE NORTHERN CAPE

IN EXTENT 6157.1450 HECTARES

Held by Deed of Transfer Number T30323/1972

Registered in the name of: **NICOLAAS VAN SCHALKWYK**

SERVITUDE EXECUTED: PROTOCOL NUMBER 12/2024
- 1.3 **PORTION 1 (WILDA) OF THE FARM DIE TUIN NUMBER 493**
SITUATED IN THE KAROO HOOGLAND MUNICIPALITY
DIVISION FRASERBURG, PROVINCE OF THE NORTHERN CAPE

IN EXTENT 3078,5706 HECTARES

Held by Deed of Transfer Number T31429/2000

Registered in the name of: TRUSTEES FOR THE TIME BEING OF THE
LOUWSDIRFT TRUST

SERVITUDE EXECUTED: PROTOCOL NUMBER 7/2024
- 1.4 **THE FARM ZAND PUTS NUMBER 77**
SITUATED IN THE KAROO HOOGLAND MUNICIPALITY
DIVISION FRASERBURG, PROVINCE OF THE NORTHERN CAPE

IN EXTENT 8673,7712 HECTARES

Held by Deed of Transfer Number T38487/1996

Registered in the name of: **PHILIPPUS HERMANUS MARAIS**

SERVITUDE REGISTERED: K112/2022S

- 1.5 **THE FARM BISSIES EN AANTEEL KOLK NUMBER 91**
SITUATED IN THE KAROO HOOGLAND MUNICIPALITY
DIVISION FRASERBURG, PROVINCE OF THE NORTHERN CAPE
- IN EXTENT 9486,6772 HECTARES
- Held by Deed of Transfer Number T20683/2005
- Registered in the name of: TRUSTEES FOR THE TIME BEING OF THE **BIESIES BOERDERY TRUST**
- SERVITUDE REGISTERED: K120/2022S**
-
- 1.6 **REMAINDER OF THE FARM DASSIE KLOOF NUMBER 105**
SITUATED IN THE KAROO HOOGLAND MUNICIPALITY
DIVISION FRASERBURG, PROVINCE OF THE NORTHERN CAPE
- IN EXTENT 4282,7751 HECTARES
- Held by Deed of Transfer Number T8049/2002
- Registered in the name of: **DAWID FREDERIK JOHANNES LOUW**
- SERVITUDE REGISTERED: K119/2023S**
-
- 1.7 **REMAINDER OF THE FARM OEST NUMBER 107**
SITUATED IN THE KAROO HOOGLAND MUNICIPALITY
DIVISION FRASERBURG, PROVINCE OF THE NORTHERN CAPE
- IN EXTENT 4500,9943 HECTARES
- Held by Deed of Transfer Number T65385/2015
- Registered in the name of: **DAWID FREDERIK JOHANNES LOUW**
- SERVITUDE REGISTERED: K119/2023S**
-
- 1.8 **REMAINDER OF THE FARM KOEGA NUMBER 108**
SITUATED IN THE KAROO HOOGLAND MUNICIPALITY
DIVISION FRASERBURG, PROVINCE OF THE NORTHERN CAPE
- IN EXTENT 1267,3011 HECTARES
- Held by Deed of Transfer Number T71180/2012
- Registered in the name of: **FRANCOIS LOUW**
- SERVITUDE REGISTERED: K133/2023S**

- 1.9 **PORTION 2 (KLIPBANK) OF THE FARM KOEGA NUMBER 108**
SITUATED IN THE KAROO HOOGLAND MUNICIPALITY
DIVISION FRASERBURG, PROVINCE OF THE NORTHERN CAPE
- IN EXTENT 2032,0840 HECTARES
- Held by Deed of Transfer Number T11167/2003
- Registered in the name of: **CHARL FRANCOIS LANGNER**
- SERVITUDE REGISTERED: K111/2023S**
-
- 1.10 **REMAINDER OF PORTION 3 THE FARM KOEGA NUMBER 108**
SITUATED IN THE KAROO HOOGLAND MUNICIPALITY
DIVISION FRASERBURG, PROVINCE OF THE NORTHERN CAPE
- IN EXTENT 1180,3721 HECTARES
- Held by Deed of Transfer Number T71180/2012
- Registered in the name of: **FRANCOIS LOUW**
- SERVITUDE REGISTERED: K133/2023S**
-
- 1.11 **PORTION 4 (A PORTION OF PORTION 3) THE FARM KOEGA NUMBER 108**
SITUATED IN THE KAROO HOOGLAND MUNICIPALITY
DIVISION FRASERBURG, PROVINCE OF THE NORTHERN CAPE
- IN EXTENT 88,1547 HECTARES
- Held by Deed of Transfer Number T71180/2012
- Registered in the name of: **FRANCOIS LOUW**
- SERVITUDE REGISTERED: K133/2023S**
-
- 1.12 **PORTION 1 (UITKOMST) OF THE FARM FRIESLAND NUMBER 200**
SITUATED IN THE KAROO HOOGLAND MUNICIPALITY
DIVISION FRASERBURG, PROVINCE OF THE NORTHERN CAPE
- IN EXTENT 2505,4790 HECTARES
- Held by Certificate of Registered Title Number T56522/2013
- Registered in the name of: TRUSTEES FOR THE TIME BEING OF THE
KLIPDRIFT TRUST
- SERVITUDE REGISTERED: K93/2023S**

- 1.13 **REMAINDER OF THE FARM BLOEM FONTEIN NUMBER 119**
SITUATED IN THE KAROO HOOGLAND MUNICIPALITY
DIVISION FRASERBURG, PROVINCE OF THE NORTHERN CAPE
- IN EXTENT 3051,6665 HECTARES
- Held by Deed of Transfer Number T15753/1987
- Registered in the name of: **ESTATE LATE JOHANNES THERON**
- SERVITUDE EXECUTED: PROTOCOL NUMBER 13/2024**
-
- 1.14 **THE FARM NUMBER KLIP DRIFT NUMBER 203**
SITUATED IN THE KAROO HOOGLAND MUNICIPALITY
DIVISION FRASERBURG, PROVINCE OF THE NORTHERN CAPE
- IN EXTENT 6002,7076 HECTARES
- Held by Deed of Transfer Number T21507/2013
- Registered in the name of: **JASPER MICHAEL HOON**
- SERVITUDE REGISTERED: K3/2024S**
-
- 1.15 **THE FARM WELTEVREDE NUMBER 205**
SITUATED IN THE KAROO HOOGLAND MUNICIPALITY
DIVISION FRASERBURG, PROVINCE OF THE NORTHERN CAPE
- IN EXTENT 2209,3829 HECTARES
- Held by Deed of Transfer Number T59867/1998
- Registered in the name of: TRUSTEES FOR THE TIME BEING OF **W.F.O TRUST**
- SERVITUDE REGISTERED: K87/2023S**
-
- 1.16 **THE REMAINDER OF PORTION 1 (VADERSKLIP) OF THE FARM
KORFSPLAATS NUMBER 204**
SITUATED IN THE KAROO HOOGLAND MUNICIPALITY
DIVISION FRASERBURG, PROVINCE OF THE NORTHERN CAPE
- IN EXTENT 1188,3754 HECTARES
- Held by Deed of Transfer Number T59867/1998
- Registered in the name of: TRUSTEES FOR THE TIME BEING OF **W.F.O TRUST**
- SERVITUDE REGISTERED: K87/2023S**

- 1.17 **PORTION 1 (JACOBUS DAAL) OF THE FARM BLOEMFONTEIN NUMBER 119**
SITUATED IN THE KAROO HOOGLAND MUNICIPALITY
DIVISION FRASERBURG, PROVINCE OF THE NORTHERN CAPE

IN EXTENT 1511,4463 HECTARES

Held by Deed of Transfer Number T71180/2012

Registered in the name of: **FRANCOIS LOUW**

SERVITUDE REGISTERED: K133/2023S
- 1.18 **REMAINDER OF PORTION 1 "BROWNS LAAGE" OF THE FARM VAALHOEK NUMBER 120**
SITUATED IN THE KAROO HOOGLAND MUNICIPALITY
DIVISION FRASERBURG, PROVINCE OF THE NORTHERN CAPE

IN EXTENT 2074,7976 HECTARES

Held by Deed of Transfer Number T35485/2013

Registered in the name of: **JAKOBUS ESTERHUIZEN**

SERVITUDE REGISTERED: K123/2023S
- 1.19 **PORTION 2 (A PORTION OF PORTION 1) THE FARM VAAL HOEK NUMBER 120**
SITUATED IN THE KAROO HOOGLAND MUNICIPALITY
DIVISION FRASERBURG, PROVINCE OF THE NORTHERN CAPE

IN EXTENT 1439,2571 HECTARES

Held by Deed of Transfer Number T71180/2012

Registered in the name of: **FRANCOIS LOUW**

SERVITUDE REGISTERED: K133/2023S
- 1.20 **THE FARM RIETKOLK NUMBER 6**
SITUATED IN THE KAROO HOOGLAND MUNICIPALITY
DIVISION FRASERBURG, PROVINCE OF THE NORTHERN CAPE

IN EXTENT 5840,5889 HECTARES

Held by Deed of Transfer Number T5411/1973

Registered in the name of: **ELPIE LOUW**

SERVITUDE REGISTERED: K123/2022S

- 1.21 **REMAINDER OF PORTION 1 (VOS ZYN VLEI) OF THE FARM VOS ZYN VLEI NUMBER 7**
SITUATED IN THE KAROO HOOGLAND MUNICIPALITY
DIVISION FRASERBURG, PROVINCE OF THE NORTHERN CAPE

IN EXTENT 2569,6088 HECTARES

Held by Deed of Transfer Number T67351/1998

Registered in the name of: **DIRK JOHANNES LOUIS HUSSELMANN**

SERVITUDE REGISTERED: K124/2022S
- 1.22 **THE FARM SYNNSIDE NUMBER 8**
SITUATED IN THE KAROO HOOGLAND MUNICIPALITY
DIVISION FRASERBURG, PROVINCE OF THE NORTHERN CAPE

IN EXTENT 8624,9846 HECTARES

Held by Deed of Transfer Number T11728/1977

Registered in the name of: **MARTHINUS DAWID GOUS**

SERVITUDE REGISTERED: K64/2023S
- 1.23 **REMAINDER OF THE FARM ABIQUAS PUTS NUMBER 9**
SITUATED IN THE KAROO HOOGLAND MUNICIPALITY
DIVISION FRASERBURG, PROVINCE OF THE NORTHERN CAPE

IN EXTENT 4138,9282 HECTARES

Held by Deed of Transfer Number T94086/2005

Registered in the name of: **WILLEM PETRUS LOUW**

SERVITUDE REGISTERED: K106/2022
- 1.24 **THE FARM LEEUW KRANTZ NUMBER 134**
SITUATED IN THE KAROO HOOGLAND MUNICIPALITY
DIVISION FRASERBURG, PROVINCE OF THE NORTHERN CAPE

IN EXTENT 6356,1098 HECTARES

Held by Deed of Transfer Number T121414/2003

Registered in the name of: TRUSTEES FOR THE TIME BEING OF **WM SYMINGTON FAMILIE TRUST**

SERVITUDE EXECUTED: PROTOCOL NUMBER 6/2024

- 1.25 **REMAINDER OF THE FARM ONGELUKS FONTEIN NUMBER 135**
SITUATED IN THE KAROO HOOGLAND MUNICIPALITY
DIVISION FRASERBURG, PROVINCE OF THE NORTHERN CAPE
- IN EXTENT 8897,5481 HECTARES
- Held by Deed of Transfer Number T15475/1961
- Registered in the name of: **ESTATE LATE WILLEM ABRAHAM VAN SCHALKWYK**
- SERVITUDE AGREEMENT CONCLUDED.**
- 1.26 **REMAINDER OF THE FARM ZAKFONTEIN NUMBER 148**
SITUATED IN THE KAROO HOOGLAND MUNICIPALITY
DIVISION FRASERBURG, PROVINCE OF THE NORTHERN CAPE
- IN EXTENT 6732,6755 HECTARES
- Held by Deed of Transfer Number T34966/1993
- Registered in the name of: **JACOBUS NEL LOUW**
- SERVITUDE REGISTERED: K97/2023S**
- 1.27 **REMAINDER OF THE FARM LANGBAKEN NUMBER 149**
SITUATED IN THE KAROO HOOGLAND MUNICIPALITY
DIVISION FRASERBURG, PROVINCE OF THE NORTHERN CAPE
- IN EXTENT 4934,0952 HECTARES
- Held by Deed of Transfer Number T97994/1998
- Registered in the name of: **JACOBUS NEL LOUW**
- SERVITUDE REGISTERED: K97/2023S**
- 1.28 **PORTION 2 OF THE FARM LANGBAKEN NUMBER 149**
SITUATED IN THE KAROO HOOGLAND MUNICIPALITY
DIVISION FRASERBURG, PROVINCE OF THE NORTHERN CAPE
- IN EXTENT 5078,6082 HECTARES
- Held by Deed of Transfer Number T628/2002
- Registered in the name of: TRUSTEES FOR THE TIME BEING OF THE
LANGBAKEN TRUST
- SERVITUDE REGISTERED: K88/2023S**

- 1.29 **THE FARM TIERKOP NUMBER 51**
SITUATED IN THE KAROO HOOGLAND MUNICIPALITY
DIVISION FRASERBURG, PROVINCE OF THE NORTHERN CAPE

IN EXTENT 2287,2430 HECTARES

Held by Deed of Transfer Number T2222/2004

Registered in the name of: **ALBERTUS DU TOIT BLOMERUS**

SERVITUDE REGISTERED: K31/2023S
- 1.30 **REMAINDER OF THE FARM PALMIET FONTEIN NUMBER 171**
SITUATED IN THE KAROO HOOGLAND MUNICIPALITY
DIVISION FRASERBURG, PROVINCE OF THE NORTHERN CAPE

IN EXTENT 4353,8708 HECTARES

Held by Deed of Transfer Number T33595/1994

Registered in the name of: TRUSTEES FOR THE TIME BEING OF THE **RUS-EN-
VREDE FAMILIETRUST**

SERVITUDE REGISTERED: K135/2023S
- 1.31 **REMAINDER OF THE FARM KORFSPLAATS NUMBER 204**
SITUATED IN THE KAROO HOOGLAND MUNICIPALITY
DIVISION FRASERBURG, PROVINCE OF THE NORTHERN CAPE

IN EXTENT 2267,6942 HECTARES

Held by Deed of Transfer Number T71255/2002

Registered in the name of: TRUSTEES FOR THE TIME BEING OF THE **STOFKRAAL TRUST**

SERVITUDE REGISTERED: K1/2024
- 1.32 **THE FARM SCHEERKRAAL NUMBER 5**
SITUATED IN THE KAROO HOOGLAND MUNICIPALITY
DIVISION FRASERBURG, PROVINCE OF THE NORTHERN CAPE

IN EXTENT 4129,8790 HECTARES

Held by Deed of Transfer Number T52814/1995

Registered in the name of: **DANIEL ARNOLDUS SNYMAN**

SERVITUDE REGISTERED: K109/2022S

KAREEBERG MUNICIPALITY

- 1.33 **REMAINDER OF THE FARM WATERVAL NUMBER 497**
SITUATED IN THE KAREEBERG MUNICIPALITY
DIVISION CARNARVON, PROVINCE OF THE NORTHERN CAPE

IN EXTENT 5171,8801 HECTARES

Held by Deed of Transfer Number T21233/1996

Registered in the name of: **ETRESIA ELIZABETH VAN WYK & ANTOINETTE VAN TROMP**

SERVITUDE REGISTERED: K129/2018S
- 1.34 **REMAINDER OF THE FARM PAARDE VLEI NUMBER 73**
SITUATED IN THE KAREEBERG MUNICIPALITY
DIVISION CARNARVON, PROVINCE OF THE NORTHERN CAPE

IN EXTENT 8174,0277 HECTARES

Held by Deed of Transfer Number T10533/1973

Registered in the name of: **DWAALBERG LANDGOED PROPRIETARY LIMITED**

SERVITUDE REGISTERED K80/2023S
- 1.35 **REMAINDER OF THE FARM GARST KOLK NUMBER 74**
SITUATED IN THE KAREEBERG MUNICIPALITY
DIVISION CARNARVON, PROVINCE OF THE NORTHERN CAPE

IN EXTENT 12497,4309 HECTARES

Held by Deed of Transfer Number T78883/2006

Registered in the name of: **LITAU LANDGOED PROPRIETARY LIMITED**

SERVITUDE EXECUTED: PROTOCOL NUMBER 9/2024
- 1.36 **THE REMAINDER OF THE FARM WOLF WERF NUMBER 23**
SITUATED IN THE KAREEBERG MUNICIPALITY
DIVISION CARNARVON, PROVINCE OF THE NORTHERN CAPE

IN EXTENT 6706,9739 HECTARES

Held by Deed of Transfer Number T23145/1986

Registered in the name of: **WOLFWERF CC**

SERVITUDE REGISTERED: K94/2022S

- 1.37 **THE FARM RIET KOPS KOLK NUMBER 25**
SITUATED IN THE KAREEBERG MUNICIPALITY
DIVISION CARNARVON, PROVINCE OF THE NORTHERN CAPE
- IN EXTENT 12079,9420 HECTARES
- Held by Deed of Transfer Number T2699/2018
- Registered in the name of: **HARDEMANS KAROO PROPRIETARY LIMITED**
- SERVITUDE EXECUTED: PROTOCOL NUMBER 8/2024**
-
- 1.38 **PORTION 1 OF THE FARM THOMAS PAN NUMBER 38**
SITUATED IN THE KAREEBERG MUNICIPALITY
DIVISION CARNARVON, PROVINCE OF THE NORTHERN CAPE
- IN EXTENT 3731,4046 HECTARES
- Held by Deed of Transfer Number T20213/1986
- Registered in the name of: **JOHANNES BENJAMIN VAN DER WESTHUIZEN**
- SERVITUDE EXECUTED: PROTOCOL NUMBER 11/2024**
-
- 1.39 **PORTION 4 (A PORTION OF PORTION 3) OF THE FARM THOMAS PAN NUMBER 38**
SITUATED IN THE KAREEBERG MUNICIPALITY
DIVISION CARNARVON, PROVINCE OF THE NORTHERN CAPE
- IN EXTENT 6482,8674 HECTARES
- Held by Deed of Transfer Number T62607/1993
- Registered in the name of: **GANNAPAN BOERDERY CC**
- SERVITUDE EXECUTED: PROTOCOL NUMBER 2/2024**
-
- 1.40 **REMAINDER OF THE FARM BOTTEL PUT NUMBER 48**
SITUATED IN THE KAREEBERG MUNICIPALITY
DIVISION CARNARVON, PROVINCE OF THE NORTHERN CAPE
- IN EXTENT 5670,7442 HECTARES
- Held by Deed of Transfer Number T25987/2007
- Registered in the name of: **JOHANNES BENJAMIN VAN DER WESTHUIZEN**
- SERVITUDE EXECUTED: PROTOCOL NUMBER 11/2024**

- 1.41 **PORTION 1 OF THE FARM BOTTEL PUT NUMBER 48**
SITUATED IN THE KAREEBERG MUNICIPALITY
DIVISION CARNARVON, PROVINCE OF THE NORTHERN CAPE

IN EXTENT 5136,1371 HECTARES

Held by Deed of Transfer Number T20213/1986

Registered in the name of: **JOHANNES BENJAMIN VAN DER WESTHUIZEN**

SERVITUDE EXECUTED: PROTOCOL NUMBER 11/2024
- 1.42 **PORTION 2 OF THE FARM BOTTEL PUT NUMBER 48**
SITUATED IN THE KAREEBERG MUNICIPALITY
DIVISION CARNARVON, PROVINCE OF THE NORTHERN CAPE

IN EXTENT 3253,0344 HECTARES

Held by Deed of Transfer Number T20213/1986

Registered in the name of: **JOHANNES BENJAMIN VAN DER WESTHUIZEN**

SERVITUDE EXECUTED: PROTOCOL NUMBER 11/2024
- 1.43 **PORTION 2 (GOEI HOOP) OF THE FARM GROOT KOLK NUMBER 57**
SITUATED IN THE KAREEBERG MUNICIPALITY
DIVISION CARNARVON, PROVINCE OF THE NORTHERN CAPE

IN EXTENT 3170,9648 HECTARES

Held by Deed of Transfer Number T55319/1999

Registered in the name of: **JAMES EASTON TESTAMENTARY TRUST**

SERVITUDE REGISTERED: K2/2023S
- 1.44 **PORTION 4 (GROOTKOLK) OF THE FARM GROOT KOLK NUMBER 57**
SITUATED IN THE KAREEBERG MUNICIPALITY
DIVISION CARNARVON, PROVINCE OF THE NORTHERN CAPE

IN EXTENT 3171,0292 HECTARES

Held by Deed of Transfer Number T88604/1995

Registered in the name of: **PIETER DANIEL VAN WYK**

SERVITUDE REGISTERED: K142/2023S

- 1.45 **REMAINDER OF THE FARM MOFFY'S DAM NUMBER 58**
SITUATED IN THE KAREEBERG MUNICIPALITY
DIVISION CARNARVON, PROVINCE OF THE NORTHERN CAPE
- IN EXTENT 2459,3218 HECTARES
- Held by Deed of Transfer Number T4841/2018
- Registered in the name of: **NICOLAAS FRANCISCUS PETRUS DE KLERK**
- SERVITUDE REGISTERED: K108/2022S**
-
- 1.46 **PORTION 1 OF THE FARM MOFFY'S DAM NUMBER 58**
SITUATED IN THE KAREEBERG MUNICIPALITY
DIVISION CARNARVON, PROVINCE OF THE NORTHERN CAPE
- IN EXTENT 2459,2890 HECTARES
- Held by Deed of Transfer Number T4841/2018
- Registered in the name of: **NICOLAAS FRANCISCUS PETRUS DE KLERK**
- SERVITUDE REGISTERED: K108/2022S**
-
- 1.47 **PORTION 3 OF THE FARM MOEFY'S DAM NUMBER 58**
SITUATED IN THE KAREEBERG MUNICIPALITY
DIVISION CARNARVON, PROVINCE OF THE NORTHERN CAPE
- IN EXTENT 2473,7529 HECTARES
- Held by Deed of Transfer Number T76453/2000
- Registered in the name of: **GUILLAUM DU TOIT**
- SERVITUDE REGISTERED: K95/2022S**
-
- 1.48 **PORTION 1 OF THE FARM JAGT PAN NUMBER 62**
SITUATED IN THE KAREEBERG MUNICIPALITY
DIVISION CARNARVON, PROVINCE OF THE NORTHERN CAPE
- IN EXTENT 3698,7524 HECTARES
- Held by Deed of Transfer Number T18010/2007
- Registered in the name of: **KAREEBERG MUNICIPALITY**
- SERVITUDE REGISTERED: K138/2023**

- 1.49 **PORTION 1 (VLAK LEEGTE) OF THE FARM SCHIET-KOLK NUMBER 491**
SITUATED IN THE KAREEBERG MUNICIPALITY
DIVISION CARNARVON, PROVINCE OF THE NORTHERN CAPE
- IN EXTENT 2997,8620 HECTARES
- Held by Deed of Transfer Number T91746/1997
- Registered in the name of: **MARIA LOUW (CURRENTLY BEING TRANSFER TO GJ DU PLESSIS)**
- SERVITUDE AGREEMENT CONCLUDED.**
- 1.50 **PORTION 1 (GELUK) OF THE FARM UITSPAN-KOLK NUMBER 499**
SITUATED IN THE KAREEBERG MUNICIPALITY
DIVISION CARNARVON, PROVINCE OF THE NORTHERN CAPE
- IN EXTENT 3230,2844 HECTARES
- Held by Deed of Transfer Number T92642/1994
- Registered in the name of: **EDNA GERMAN (PREVIOUSLY JACOBS)**
- SERVITUDE REGISTERED: K1/2023S**
- 1.51 **THE FARM BITTERPOORT NUMBER 576**
SITUATED IN THE KAREEBERG MUNICIPALITY
DIVISION CARNARVON, PROVINCE OF THE NORTHERN CAPE
- IN EXTENT 12360,5848 HECTARES
- Held by Deed of Transfer Number T2120/2003
- Registered in the name of: **BONNZA BOERDERY PROPRIETARY LIMITED**
- SERVITUDE REGISTERED: K99/2022S**
- 1.52 **REMAINDER OF PORTION 3 OF THE FARM THOMAS PAN NUMBER 38**
SITUATED IN THE KAREEBERG MUNICIPALITY
DIVISION CARNARVON, PROVINCE OF THE NORTHERN CAPE
- IN EXTENT 6367,3738 HECTARES
- Held by Deed of Transfer Number T63262/1987
- Registered in the name of: **GANNAPAN BOERDERY CC**
- SERVITUDE REGISTERED: K4/2024S**

- 1.53 **PORTION 1 (DUBBELDE VLEI NOORD) OF THE FARM DUBBELDE VLEI
NUMBER 63**
SITUATED IN THE KAREEBERG MUNICIPALITY
DIVISION CARNARVON, PROVINCE OF THE NORTHERN CAPE

IN EXTENT 3443,1526 HECTARES

Held by Deed of Transfer Number T18009/2007

Registered in the name of: **KAREEBERG MUNICIPALITY**

SERVITUDE REGISTERED: K138/2023
- 1.54 **PORTION 9 OF THE FARM JAGERSBERG NUMBER 72**
SITUATED IN THE KAREEBERG MUNICIPALITY
DIVISION CARNARVON, PROVINCE OF THE NORTHERN CAPE

IN EXTENT 6558,0499 HECTARES

Held by Deed of Transfer Number T51544/2010

Registered in the name of: TRUSTEES FOR THE TIME BEING OF **DAAN
VERMEULEN TRUST**

SERVITUDE REGISTERED: K108/2023S
- 1.55 **REMAINDER OF THE FARM UITSPAN-KOLK NUMBER 499**
SITUATED IN THE KAREEBERG MUNICIPALITY
DIVISION CARNARVON, PROVINCE OF THE NORTHERN CAPE

IN EXTENT 3345,4403 HECTARES

Held by Deed of Transfer Number T5461/1985

Registered in the name of: **JAN HERMANUS LE ROUX JACOBS**

SERVITUDE REGISTERED: K97/2022S
- 1.56 **REMAINDER PORTION 2 (HONDEBLAF OOS) OF THE FARM HONDE BLAF
NUMBER 493**
SITUATED IN THE KAREEBERG MUNICIPALITY
DIVISION CARNARVON, PROVINCE OF THE NORTHERN CAPE

IN EXTENT 2583,2789 HECTARES

Held by Deed of Transfer Number T48583/2012

Registered in the name of: **ENGELA ADRIANA ROSSOUW**

SERVITUDE REGISTERED: K100/2022S

1.57 **PORTION 3 (PORTION OF PORTION 1) OF THE FARM HONDE BLAF
NUMBER 493**

SITUATED IN THE KAREEBERG MUNICIPALITY
DIVISION CARNARVON, PROVINCE OF THE NORTHERN CAPE

IN EXTENT 2411,9566 HECTARES

Held by Deed of Transfer Number T3668/2017

Registered in the name of: **SPRING LIGHTS 26 PROPRIETARY LIMITED**

SERVITUDE REGISTERED: K110/2022S

1.58 **THE FARM JAGTERSKLOOF NUMBER 593**

SITUATED IN THE KAREEBERG MUNICIPALITY
DIVISION CARNARVON, PROVINCE OF THE NORTHERN CAPE

IN EXTENT 2411,9566 HECTARES

Held by Deed of Transfer Number 73727/2014

Registered in the name of: **SPRING LIGHTS 26 PROPRIETARY LIMITED**

SERVITUDE REGISTERED: K110/2022S

HANTAM MUNICIPALITY

1.59 **REMAINDER OF THE FARM ZOUT POORT NUMBER 10**

SITUATED IN THE HANTAM MUNICIPALITY
DIVISION FRASERBURG, PROVINCE OF THE NORTHERN CAPE

IN EXTENT 8384,7000 HECTARES

Held by Deed of Transfer Number T112375/1997

Registered in the name of: TRUSTEES FOR THE TIME BEING OF **JAPIE
FOLSCHER TRUST**

SERVITUDE REGISTERED: K65/2023S

1.60 **PORTION 1 (KLIPKOPPIES) OF THE FARM JAN LOUWS LEEGTE NUMBER
11**

SITUATED IN THE HANTAM MUNICIPALITY
DIVISION FRASERBURG, PROVINCE OF THE NORTHERN CAPE

IN EXTENT 428,2648 HECTARES

Held by Deed of Transfer Number T25811/2011

Registered in the name of: **CHARL ANDRIES CILLIERS DE VILLIERS**

SERVITUDE REGISTERED: K111/2022S

- 1.61 **PORTION 5 OF THE FARM JAN LOUWS LEEGTE NUMBER 11**
SITUATED IN THE HANTAM MUNICIPALITY
DIVISION FRASERBURG, PROVINCE OF THE NORTHERN CAPE
- IN EXTENT 1993,2106 HECTARES
- Held by Deed of Transfer Number T80974/1999
- Registered in the name of: **NICOLAAS JOHANNES FOLSCHER (LANDBANK)**
- SERVITUDE EXECUTED: PROTOCOL NUMBER 6/2023**
-
- 1.62 **REMAINDER OF THE FARM KAMEEL BOOM PUTS NUMBER 13**
SITUATED IN THE HANTAM MUNICIPALITY
DIVISION FRASERBURG, PROVINCE OF THE NORTHERN CAPE
- IN EXTENT 4589,8807 HECTARES
- Held by Deed of Transfer Number T25811/2011
- Registered in the name of: **CHARL ANDRIES CILLIERS DE VILLIERS**
- SERVITUDE REGISTERED: K111/2022S**
-
- 1.63 **PORTION 2 (A PORTION OF PORTION 1) OF THE FARM JAN LOUWS KOLK NUMBER 14**
SITUATED IN THE HANTAM MUNICIPALITY
DIVISION FRASERBURG, PROVINCE OF THE NORTHERN CAPE
- IN EXTENT 428,2674 HECTARES
- Held by Deed of Transfer Number T25811/2011
- Registered in the name of: **CHARL ANDRIES CILLIERS DE VILLIERS**
- SERVITUDE REGISTERED: K111/2022S**
-
- 1.64 **PORTION 3 OF THE FARM JAN LOUWS LEEGTE NUMBER 11**
SITUATED IN THE HANTAM MUNICIPALITY
DIVISION FRASERBURG, PROVINCE OF THE NORTHERN CAPE
- IN EXTENT 1062,0983 HECTARES
- Held by Deed of Transfer Number T7391/2014
- Registered in the name of: **BV BOERDERY DIENSTE CC**
- SERVITUDE REGISTERED: K128/2023S**