

KENILWORTH

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SOMERSET WEST

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MITCHELLS PLAIN

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BIG BAY

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EMAIL: info@vtb.co.za | VAT REGISTRATION NUMBER 4630223131 | REGISTRATION NUMBER 2005/034583/21 | BEE LEVEL 2
 PRACTICE NUMBER 4554 | DEEDS OFFICE BOX Number 213 | WEBSITE: www.veliletintocape.co.za

CONVEYANCER'S CERTIFICATE

I, the undersigned Conveyancer, **REHEEMA ESSACK**, practising as such at Velile Tinto Cape Inc at Kenilworth, in the Province of the Western Cape, do hereby certify as follows:

1. I have conducted a search at the Deeds Office at Cape Town in respect of the following Title Deeds:
 - 1.1. Deed of Transfer Number T107596/2004
 - 1.2. Deed of Transfer Number T49756/2018
 - 1.3. Deed of Transfer Number T1395/1927
 - 1.4. Deed of Transfer Number T4977/1938
 - 1.5. Deed of Transfer Number T9077/1907
2. I have further conducted a search at the Deeds Office at Cape Town, in respect of the following documents:
 - 2.1. Bond B23800/2018
 - 2.2. Deed of servitude number K 985/1990S
 - 2.3. Interdict number I8859/1991LG

In respect of:

1. PORTION 5 OF THE FARM BOETEKKA NO.319
 In the Beaufort West Registration Division, Province of the Western Cape
 In extent: 1254. 0056 Hectares
 Held by Deed of Transfer Number T107596/2004
2. PORTION 6 OF THE FARM BOETEKKA NO. 319
 In the Beaufort West Registration Division, Province of the Western Cape
 In extent: 1254. 5792 Hectares
 Held by Deed of Transfer Number T49756/2018

DIRECTORS: M L van der Merwe LL.B (CEO) • N Pansegrouw B.A. LL.B • R Essack LL.B • C D Mulder LL.B • I L Durr LL.B

SENIOR ASSOCIATES: A F Cox LL.B • A Van Berge LL.B & LL.M • M M Nieuwoudt LL.B • W Adams LL.B •
 M A Kader LL.B • L Nezar LL.B

PROFESSIONALLY ASSISTED BY: N L Baguley LL.B • M F Mayet LL.B • J du Plooy LL.B • M Basson LL.B • M M Scott LL.B & LL.M •
 T Lodewyk LL.B • A Kies LL.B • S Manuel LL.B • D Van Der Westhuizen LL.B • J K Davids LL.B • E O'Reilly LL.B

CONSULTANT: A H der Kinderen B.Com LL.B

3. REMAINDER OF THE FARM LOMBARDS KRAAL NO. 330

In the Beaufort West Registration Division, Province of the Western Cape

In extent: 1242. 4928 Hectares

Held by Deed of Transfer Number T107596/2004

4. FARM NO. 432

In the Beaufort West Registration Division, Province of the Western Cape

In extent: 2577. 4276 Hectares

Held by Deed of Transfer Number T49756/2018

In relation to the project known as the Jessa M Wind Energy Facility (Pty) Ltd ("the Project") whereby:

A) The below is being evaluated:

- a) All activities related or ancillary to the development, construction and operation of a wind energy facility;
- b) Consent to conclude a long-term lease agreement over the Property or a portion thereof in accordance with the Subdivision of Agricultural Land Act 70 of 1970.;

B) Any restrictive conditions have been reviewed in the above Title Deeds that pertain to the Project site which

- a) Inhibit the transfer, subdivision or lease of the property in question;
- b) May otherwise prohibit or prevent the registration of a notarial lease against the property (if any is required for the Project);
- c) Require the consent or approval of any third party to actions in paragraphs A(a) or B(b), which consent or approval has not yet been obtained;
- d) Materially prohibit the use of the property in the manner required by the Project;
- e) Any other relevant information.

3. The registered owner of the property is:

3.1. In respect of Portion 5 of the Farm Boeteka No.319, QUICKSTEP 479 CC, Registration number 2006/102814/23

3.2. In respect of Portion 6 of the Farm Boeteka No.319, QUICKSTEP 479 (PTY) LTD, Registration number 2017/497542/07

3.3. In respect of Remainder of the Farm Lombards Kraal No.330, QUICKSTEP 479 CC, Registration number 2006/102814/23

3.4. In respect of Farm No.432, QUICKSTEP 479 (PTY) LTD, Registration number 2017/497542/07

4. The above Title Deeds contained no conditions that prohibit the application as set out in A above.

5. The relevant conditions in respect of the above Title Deeds that relate to the Project are set out herein below:

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5.1. Conditions that inhibit the transfer, subdivision or lease of the property in question;

5.1.1. In respect of Portion 6 of Farm Boeteka No.319, a condition relating to the subdivision of the property which reads as follows:

"C. ONDERHEWIG VERDER soos genome in die Grondbrief Nr. 104/1949 aan die volgende voorwaarde voorgeskryf deur Artikel 9 van die Wet Nr. 45 van 1937, soos vervang deur Artikel 3 van die Wet Nr.42 van 1944 en gewysig deur Artikel 4 van die Wet Nr 23 van 1948, naamlik:-
'Geen verdeling van die hiermee toegekende grond of van enige gedeelte daarvan of onderverdeelde aandeel daarin, mag bewerkstellig word nie, sonder die skriftelike toestemming van die Minister van Lande verleen op aanbeveling van die landraad op die voorwaardes wat die Minister wenslik ag om op te stel en hierdie voorwaarde word in elke daaropvolgende oordrag van die hiermee tegekende grond of enige gedeelte daarvan of onverdeelde aandeel daarin, opgeneem."

5.2. Conditions that may otherwise prohibit or prevent the registration of a notarial lease against the property (if any is required for the Project);

5.2.1. None

5.3. Conditions that require the consent or approval of any third party to the actions in paragraphs A(a) or B(b) above, which consent or approval as not yet been obtained:

5.3.1. In respect of Portion 6 of Farm Boeteka No.319 and Farm No.432, both properties are bonded in favour of Nedbank Limited, Registration Number 1951/000009/06, for the sum of R11 000 000.00 (Eleven Million Rand). The bondholder's consent will be required for the registration of a notarial lease.

5.4. Conditions that materially prohibit the use of the property in the manner required by the Project

5.4.1. None

5.5. Any other relevant information:

5.5.1. In respect of Farm No.432 a condition relating to a servitude to convey electricity over the property, in favour of Eskom, which reads as follows:

" B. WAT BETREF die figuur R A B C D E F G H J K L op Kaart LG Nr. 1610/2008, uitgesluit die figuur q e a op Kaart LG Nr, 1608/2008:

....

3. ONDERHEWIG VERDER aan die endossement gedateer 27 Mei 1987 aangebring op Transportakte Nr T2375/1982, naamlik:-

'Kragtens Notariële Akte Nr. K963/1992S, is die binnevermelde eiendom onderhewig aan die reg ten gunste van EVKOM om elektrisiteit daaroor te lei, tesame met bykomende regte, en onderhewig aan voorwaardes, soos vollediger sal blyk uit die gesegde akte, afskrif waarvan hieraan geheg is'

(soos nou aangedui deur die lyne b c d en e f g op Kaart LG Nr. 1610/2008)

III. WAT BETREF die geheel van die eiendom:

3. ONDERHEWIG VERDER aan die endossement gedateer 27 Mei 1987 aangebring op Transportakte Nr T2375/1982, naamlik:-

'Kragtens Notariële Akte Nr. K963/1992S, is die binnevermelde eiendom onderhewig aan die reg ten gunste van EVKOM om elektrisiteit daaroor te lei, tesame met bykomende regte, en onderhewig aan voorwaardes, soos vollediger sal blyk uit die gesegde akte, afskrif waarvan hieraan geheg is'

(soos nou aangedui deur die lyne b c d en e f g op Kaart LG Nr. 1610/2008)

5.5.2. In respect of Remainder of Lombards Kraal Farm No.330, a servitude noted in Notarial Deed of servitude K985/1990S, relating to a right in favour of Eskom to lead electricity over the property, as indicated by the line ab and cd on Diagram SG number 8089/1989, the extent and width of the servitude is 23.5 metres on either side of the line ab and 15.5 metres in either side of the line cd.

5.5.3. In respect of Lombards Kraal Farm No 330, an interdict is noted against the property, interdict number I-8859/1991 LG. The interdict relates to the withdrawal of diagram number 8086/1989 reflecting a powerline servitude.

Signed at KENILWORTH on this 11th day of May 2022



Reheema Essack

Conveyancer