

NOTICE 23 OF 2009**PROPOSED EXPROPRIATION OF SERVITUDES FOR THE CONSTRUCTION AND OPERATION OF THE NEW MULTI PETROLEUM PRODUCTS PIPELINE: INVITATION TO MAKE REPRESENTATIONS**

1. Transnet Limited ("**Transnet**") intends to construct an underground new multi products pipeline to convey refined petroleum products from Durban to the industrial heartland of South Africa ("**the pipeline**"). The pipeline will consist of a 545 km trunk line from Durban to Jameson Park with branch lines from Jameson Park to Alrode, Alrode to Langlaagte and Kendal to Waltloo.
2. To construct, install and operate the pipeline, Transnet must acquire certain servitudes, detailed in paragraph 7 below, over properties all along the route of the pipeline ("**the servitudes**"). Transnet has concluded servitude agreements with the owners of many of these properties.
3. In respect of properties where servitude agreements have not been concluded ("**the affected properties**"), Transnet proposes that the Chairman of the Board of Transnet exercises his and Transnet's powers of expropriation to expropriate the servitudes, by the issuing of a notice of expropriation ("**the expropriation notice**") under section 6, as read with item 7 of Schedule 1, of the Legal Succession to the South African Transport Services Act, 1989 ("**the Legal Succession Act**"), read with sections 7 to 15 and 18 to 23 of the Expropriation Act, 1975 ("**the Expropriation Act**") and section 25 of the Constitution of the Republic of South Africa, 1996 ("**the Constitution**") ("**the proposed expropriation**").
4. Transnet has engaged with landowners of the affected properties who could be traced and known limited real right holders. Despite reasonable endeavours to ascertain the identity and contact details of other potentially interested and affected parties, Transnet is not certain that it has complete information. In respect of properties with the NMP reference numbers NMP7490, NMP7748, NMP7750 and NMP7931 (refer to the table in 5 below), landowners' precise whereabouts could not be ascertained. The purpose of this notice is to inform these landowners and any other interested and affected parties in respect of any of the affected properties of the proposed expropriation.
5. The affected properties, all located in Gauteng Province, affected by the proposed expropriation are the following:

NMPP reference number	Property description	Owner	Title deed number	Sketch annex number
NMP7035	Portion 57, Farm Klikeiland No 524 - Registration Division JR	Phillipus Lodewikus van Rooyen	T56770/1989	1
NMP7036	Portion 62, Farm Klikeiland No 524 - Registration Division JR	Michiel Visser Vermaak	T119406/2000	2
NMP7037	Portion 31, Farm Klikeiland No 524 - Registration Division JR	Theunis Eloff	T117962/2005	3
NMP7038	Portion 175, Farm Klikeiland No 524 - Registration Division JR	Gouwskor (Pty) Ltd	T73244/1996	4
NMP7039	Remainder of portion 58, Farm Hondsrivier No 508 - Registration Division JR	Gouwsberg Landgoed (Pty) Ltd	T8151/1972	5
NMP7100	Remainder of portion 86, Farm Donkerhoek No 365 - Registration Division JR	Martha du Plessis Prinsloo	T82573/1988	6
NMP7108	Remainder of portion 122, Farm Donkerhoek No 365 - Registration Division JR	Thesen Island Property Holdings (Pty) Ltd	T69466/2007	7
NMP7123	Portion 412, Farm Mooiplaats No 367 - Registration Division JR	Julius Pieter Daniel and Gerbrecht Maria van der Westhuizen	T152255/2002	8
NMP7205	Portion 76, Farm Klikeiland No 524 - Registration Division JR	Gouwsberg Landgoed (Pty) Ltd	T44848/1986	9
NMP7211	Portion 360, Farm Mooiplaats No 367 - Registration Division JR	Titus and Sibongile Eleanor Sithole	T2918/2002	10

NMP7423	Remainder of portion 1, Farm Koppieskraal No 157 - Registration Division IR	Coral Lagoon Investments 183 (Pty) Ltd	T57079/2008	11
NMP7424	Remainder extent of Farm Tamboekiesfontein No 160 - Registration Division IR	Bam Binello Stud (Pty) Ltd and Bam Binello Stud CC	T169722/2007	12
NMP7425	Remainder of portion 31, Farm Tamboekiesfontein No 173 - Registration Division IR	Bam Binello Stud (Pty) Ltd and Bam Binello Stud CC	T12554/1998	13
NMP7432	Remainder of portion 220, Farm Vlakplaats No 138 - Registration Division IR	Sam Lubbe Investments CC	T87280/2008	14
NMP7435	Remainder of portion 14, Farm Vlakplaats No 138 - Registration Division IR	F H A Homes (Association incorporated under section 21)	T6384/1987	15
NMP7436	Portion 223, Farm Vlakplaats No 138 - Registration Division IR	Egoliview Mall (Pty) Ltd (formerly known as Linksfield Centre Prop (Pty) Ltd)	T81841/2007	16
NMP7438	Remainder of portion 155, Farm Vlakplaats No 138 - Registration Division IR	Egoliview Mall (Pty) Ltd (formerly known as Linksfield Centre Prop (Pty) Ltd)	T107934/2007	17
NMP7456	Remainder of portion 111, Farm Roodekop No 139 - Registration Division IR	RBA Developments (Jhb) (Pty) Ltd	T118647/2007	18
NMP7471	Remainder of portion 15, Farm Roodekop No 139 - Registration Division IR	Ionian Brick & Tile Company (Pty) Ltd	T27603/1944	19

NMP7490	Portion 185, Farm Vlakplaats No 138 - Registration Division IR	Terence Martin Joseph	T15788/1987	20
NMP7743	Erf 1750, Township Mondeor ext 3 Registration Division IQ	Bentoni CC (in voluntary liquidation)	T51333/1996	21
NMP7746	Erf 1753, Township Mondeor ext 3 Registration Division IQ	Body Corporates Sectional Schemes Club Tuscany (SS 322/1996; SS 27/1997; SS 74/1997)	T39414/1996	22
NMP7748	Erf 18, Township Alan Manor Registration Division IQ	Alan Manor Ltd In Liquidation	T1931/1964	23
NMP7750	Erf 10, Township Alan Manor Registration Division IQ	Alan Manor Ltd In Liquidation	T1931/1964	24
NMP7758	Portion 153, Farm Olifantsvlei No 327 - Registration Division IQ	Michael Mattheus and Venessa Maria Julia Basson	T137828/2006	25
NMP7761	Portion 130, Farm Olifantsvlei No 327 - Registration Division IQ	Azra Joosub	T30419/2008	26
NMP7931	Remainder of portion 136, Farm Olifantsvlei No 327 - Registration Division IQ	Helen Zora and Sonya Nada Zenic	T105053/1995	27
NMP7936	Portion 104, Farm Olifantsvlei No 327 - Registration Division IQ	Rubbytad CC	T149419/2007	28
NMP7939	Portion 105, Farm Olifantsvlei No 327 - Registration Division IQ	Christina Welgemoed	T23181/1992	29

NMP7942	Portion 107, Farm Olifantsvlei No 327 - Registration Division IQ	Parkwood Mansions (Pty) Ltd	T69101/1987	30
NMP7945	Portion 149, Farm Olifantsvlei No 327 - Registration Division IQ	Rainbow Place Prop 0007 (Pty) Ltd	T155678/2007	31

6. The above table also refers to the relevant sketch plans, which delineate the servitudes in respect of each of the affected properties.

7. The following rights in the affected properties are sought to be expropriated (**"the relevant rights"**):

7.1 perpetual servitudes, each 6 (six) metres wide, the route and centre lines of which are indicated on the attached sketch plans marked "1" to "31" (**"the perpetual servitude areas"**). The perpetual servitudes include the rights to:

7.1.1 construct and install a pipeline below the surface of the perpetual servitude areas and any additions, appurtenances and fittings on top of or below the surface thereof;

7.1.2 patrol, inspect, maintain, repair, replace, renew, remove and operate the pipeline and any appurtenances, additions or fittings which may be necessary for the operation and management of the pipeline;

7.1.3 clear and grade the surface of the perpetual servitude areas, including removal of all structures, plants, rocks and debris;

7.1.4 erect and demolish gates, fences and any other barriers on and around the perpetual servitude areas;

7.1.5 perform all acts necessary for or incidental to the effective carrying out of the acts in paragraphs 7.1.1 to 7.1.4 above; and

7.1.6 free and unobstructed access, at all times over any part of the affected properties, to the perpetual servitude areas, as may be required to exercise the rights referred to in paragraphs 7.1.1 to 7.1.5 above.

- 7.2 temporary servitudes, each 30 (thirty) metres wide, the route and location of which are indicated on the attached sketch plans marked "1" to "31" ("**the temporary servitude areas**"). The temporary servitudes include the rights to:
- 7.2.1 establish any construction contractor's crew which will conduct the physical installation of the pipeline and related facilities;
 - 7.2.2 clear and grade the surface of the temporary servitude areas, including removal of all structures, plants, rocks and debris;
 - 7.2.3 erect and demolish gates, fences and any other barriers on and around the temporary servitude areas;
 - 7.2.4 use the temporary servitude areas for all acts necessary for or incidental to the effective construction or installation of the pipeline and any appurtenances, additions or fittings within the perpetual servitude areas; and
 - 7.2.5 free and unobstructed access, at all times over any part of the affected properties, to the temporary servitude areas as may be required to exercise the rights referred to in paragraphs 7.2.1 to 7.2.4 above.
8. The pipeline will be constructed and installed within the perpetual servitude areas at varying depths, but not less than 1 (one) metre and not more than 3.5 (three comma five) metres under natural ground level.
9. The temporary servitudes outlined in paragraph 7.2 will endure from the date of expropriation until the date on which construction of the pipeline is concluded and Transnet and all contractors have vacated the affected properties.
10. The owners of the affected properties ("**the owners**") may not enter onto or use for any purpose the temporary servitude areas for the duration of the temporary servitudes.
11. After construction of the pipeline has been completed, the perpetual servitude areas may be used by the owners subject to the relevant rights by Transnet, and subject to the following:
- 11.1 no drilling, pile-driving, blasting or other activity that could damage or jeopardise the safety and integrity of the pipeline will be allowed;

- 11.2 no trees or plants are to be planted in such a position that the roots of such trees or plants encroach upon the perpetual servitude areas;
- 11.3 the perpetual servitude areas may be cultivated for gardening, pastoral or crop farming purposes, excluding any trees or other deep-rooted plants;
- 11.4 no digging, ploughing or the like shall be permitted below 0,5 (zero comma five) metres of the prevailing natural ground level within the perpetual servitude areas;
- 11.5 soil deposits over the pipeline may not be reduced or increased;
- 11.6 no dam wall or any other structure which may obstruct the natural flow of water may be erected in such a way that the perpetual servitude areas is inundated or eroded;
- 11.7 where roads, fencing, gates, pipes, pipelines, cables or anything else is to be erected across or within the perpetual servitude areas, Transnet's prior written directives and approval regarding the type, extent, design, location, method and time of construction are to be obtained; and
- 11.8 the pipeline may not be damaged in any manner whatsoever and Transnet's rights may not be impeded in any way.
12. Transnet invites all interested and affected parties whose rights or legitimate expectations may be adversely affected by the proposed expropriation to deliver written submissions to the Chairman of the Board of Transnet ("**the Chairman**"), which submissions must be received by the Chairman on or before **2 February 2009** (at the address set out in paragraph 13 below), on any matter related to the proposed expropriation including the nature, extent and route of the servitudes over the affected properties.
13. Further information regarding the servitudes, required by any interested and affected party for making written submissions, may be obtained from the Chairman at the following address:

By hand:

The Chairman
Transnet Limited
c/o Webber Wentzel
10 Fricker Road

Illovo Boulevard
Johannesburg
Attention: I Gouws / 1800222

and / or

By registered post: The Chairman
Transnet Limited
c/o Webber Wentzel
PO Box 61771
Marshalltown
2196
Attention: I Gouws / 1800222

and /or

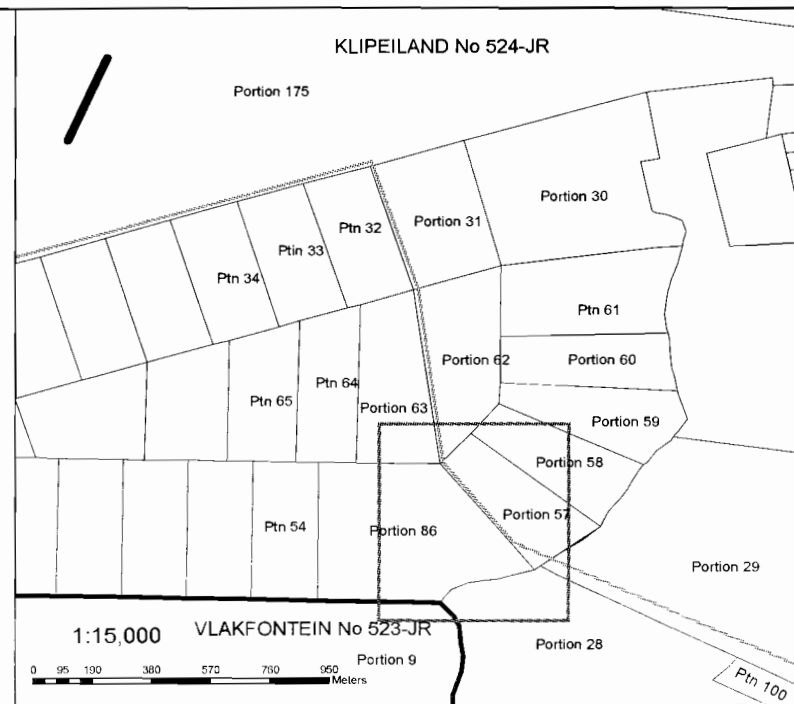
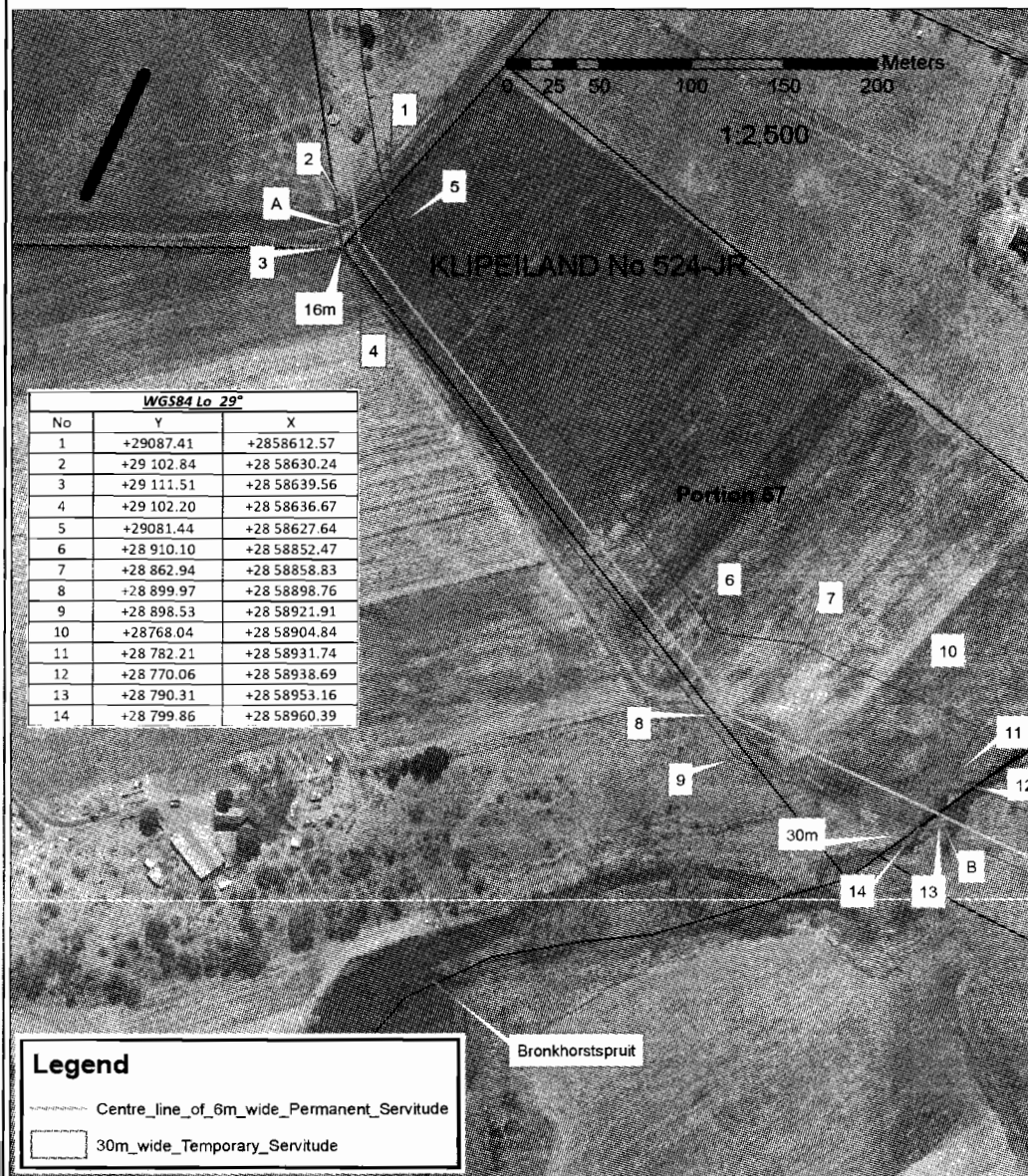
By e-mail: igno.gouws@webberwentzel.com

and / or

By fax: 011 530 6368

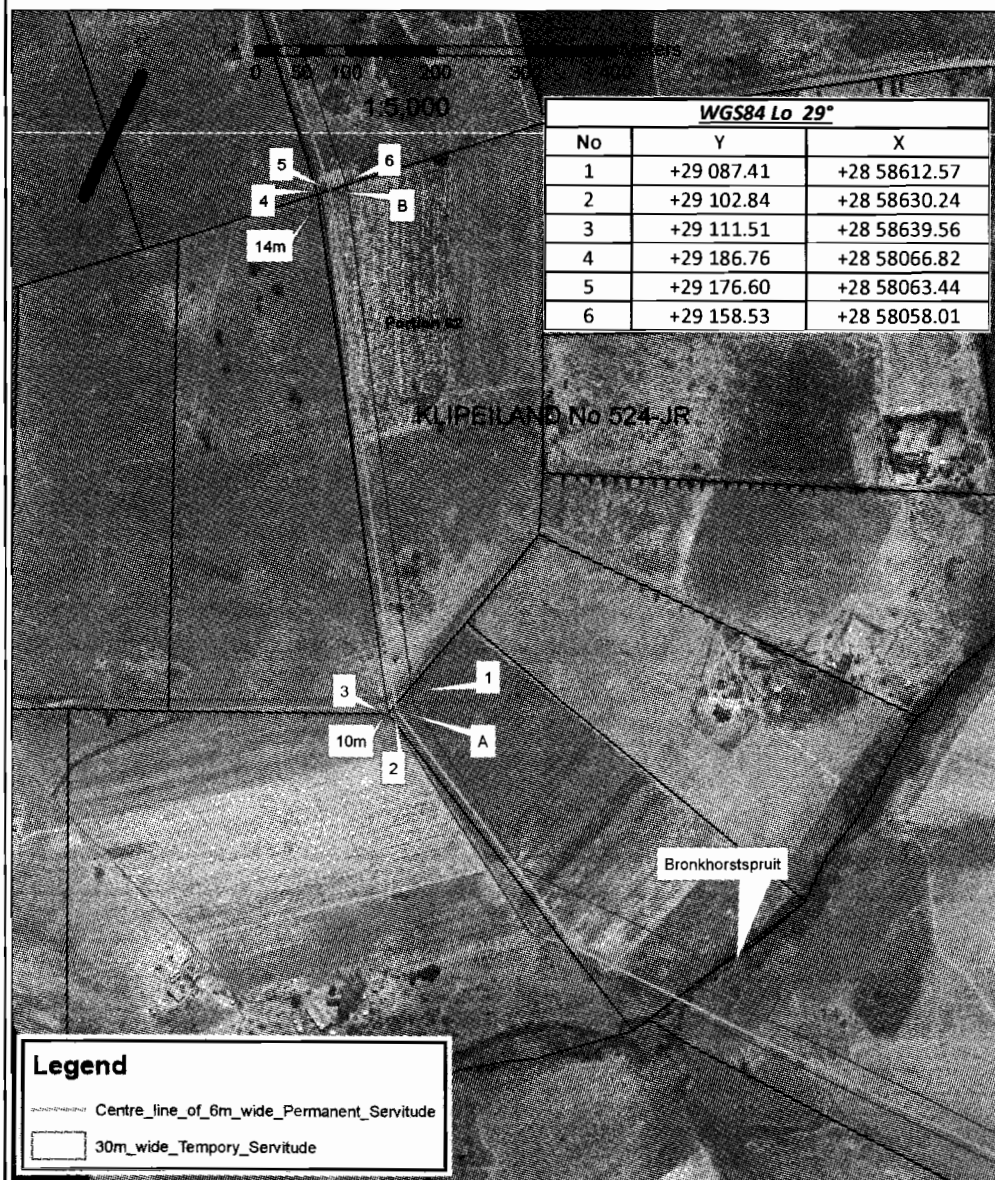
14. All correspondence to the addresses listed in paragraph 13 must contain the appropriate NMPP reference number from the first column of the table in paragraph 5 above.
15. The Chairman will make his decision on the proposed expropriation as soon as possible after the deadline for written submissions has been reached. Interested and affected parties, whose details are known to the Chairman, will be informed of the decision within a reasonable time after the decision has been made.

NEW PETRONET MULTI-PRODUCT PIPELINE

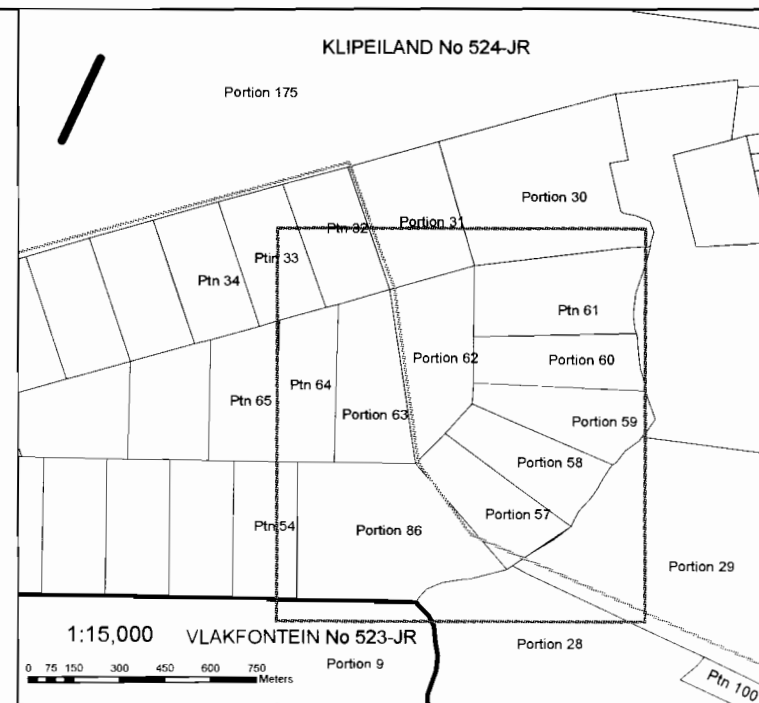


SERVITUDE INFORMATION NEW MULTI-PRODUCT PETRONET PIPELINE PROJECT						
Approximate Pipeline Length (m) A-B				460 metres		
Approximate Servitude Area	Permanent Width (m)	6m	Approximate Permanent Area (m ²)	2 760		
	Construction Width (m)	30m	Approximate Construction Area (m ²)	18 000		
The land reflected hereunder is situated on the Kendal to Waitloo section of the proposed pipeline. All co-ordinates, areas and dimensions are approximate and subject to final survey.						
Property Description	Farm/Town Name	SGCODE	Mr/Ms	First Name	Last Name	ID No
524-JR, Ptn 57	Klupeiland	DKW0035	Mrs	Philippus Lodewikus	van Rooyen	5211055038085
Title Deeds	Phone 1 (Work/home)	Phone 2 (Fax)	Phone 3 (Cell)	Address Line 1 (Postal address)	Address Line 2 (City)	Address Line 3 Zip / Postal Code
T56770/1989-08-22	013 932 5140			Posbus 181	BRONKHORSTSPRUIT	1020
Compiled by: SP du P	Date: 2008/12/01	TRANSNET		5th Floor NZASM Building 6 Minnaar Street Pretoria 0001 Tel: 012 - 315 2682 Fax: 012 - 315 2316		
Checked by: J C K	Date: 2008/12/01	URL: WWW.PROPNET.CO.ZA		Plan No: NMP7035		

NEW PETRONET MULTI-PRODUCT PIPELINE



THE POSITION OF THE PIPELINE IS PROVISIONAL AND IS SUBJECT TO FINAL SURVEY



SERVITUDE INFORMATION NEW MULTI-PRODUCT PETRONET PIPELINE PROJECT						
Approximate Pipeline Length (m) A to B				575 metres		
Approximate Servitude Area	Permanent Width (m)	6m	Approximate Permanent Area (m2)		3 450	
	Construction Width (m)	30m	Approximate Construction Area (m2)		16 704	
<p>The land reflected hereunder is situated on the Kendal to Waltloo section of the proposed pipeline</p> <p>All co-ordinates, areas and dimensions are approximate and subject to final survey.</p>						
Property Description	Farm/Town Name	SGCODE	Mr/Ms	First Name	Last Name	ID No
524-JR, Ptn 62	Klipeland	DKW0036	Mrs	Michiel Visser	Vermaak	5511155035002
Title Deeds	Phone 1 (Work/home)	Phone 2 (Fax)	Phone 3 (Cell)	Address Line 1 (Postal address)	Address Line 2 (City)	Address Line 3 (Postal Code)
T119406/2000-09-27						
Compiled by: SP du P	Date: 2008/12/01			6th Floor NZASM Building 6 Minnaar Street Pretoria 0001 Tel: 012 - 315 2682 Fax: 012 - 315 2316		PO Box 9842 Pretoria 0001
Checked by: J C K	Date: 2008/12/01			URL: WWW.PROPNET.CO.ZA		Plan No: NMP7036