

**GREENWAY FARMS (PTY) LTD**

**BOKPOORT OPERATIONS**

**DRAFT WATER USE LICENCE APPLICATION**

**Report: JW219/17/G038 - Rev 1**

## Appendix A

### **TITLE DEEDS**

#### **APPENDIX A - Table of Contents**

A.1 T081888/08

**HERMAN BENJAMIN v.d. MERWE**  
Commissioner of Deeds/Kommissaris van Ede  
Ex Officio R.S.A.  
Practising Attorney/Praktiserende Prokureur  
5 Ontdekkers Road/Ontdekkersweg 5  
Roodepoort

**CERTIFIED TRUE  
COPY OF THE  
ORIGINAL**

Herman van der Merwe & Greyling  
P O Box 1956  
Roodepoort  
1725

Prepared by me

SEELREG  
STAMP DUTY  
FOOI  
FEE'S. R1000,00

  
CONVEYANCER  
VAN DER MERWE HB

PARA 1 AND 2  
VERBIND MORTGAGED  
VIR  
FOR R 12 500 000,00  
083298 08  
02 09 08  
REGISTRATEUR/REGISTRAR

081888 08  
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## DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

**DOROTHY HELEN COETSER**

appeared before me, REGISTRAR OF DEEDS at Pretoria, he the said Appearer  
being duly authorised thereto by a Power of Attorney signed at ROODEPOORT  
on 25 JULY 2008 and granted to him by

**JOHANNES JACOBUS KLOPPERS**  
Identity Number 620505 5020 08 4  
Married out of community of property





And the Appearer declared that his said principal had truly and legally sold on 16 April 2008 and that he, the said Appearer, in his capacity aforesaid, did, by these presents, cede and transfer to and on behalf of

**GREENWAY FARM PROPERTY (PROPRIETARY) LIMITED**  
No. 1995/006197/07

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

1. PORTION 3 OF THE FARM BOKPOORT 312 REGISTRATION DIVISION  
K.R., THE PROVINCE OF LIMPOPO

MEASURING 276,0940 (TWO HUNDRED AND SEVENTY SIX COMMA  
ZERO NINE FOUR ZERO) HECTARES

FIRST registered and still held by Certificate of Registered Title  
T120684/1999 with Diagram LG No. 3211/1999 annexed thereto.

SUBJECT TO THE FOLLOWING CONDITIONS:

- (a) The Mineral Rights of the land hereby transferred together with all rights appertaining to the holder of Mineral Rights under the Precious and Base Metals Act of 1908 or any statutory amendment thereof, or any other Law and the rights to grant licences to search, prospect, work and mine for minerals under the regulations of the TRANSVAAL ESTATES AND DEVELOPMENT COMPANY LIMITED (hereinafter called the Company) for prospecting for the time being in force, are reserved to the Company, its successors in title or Assigns, who shall have sole right of prospecting and mining in, on, or under the said land for precious stones, gold, minerals, metals, oils, coal, lime and other mineral deposits, and for that purpose shall be entitled to sink shafts and boreholes, to construct dams, lay tram, pipe and electric lines, to erect buildings for employees and machinery and to carry on its mining operations unobstructed, subject to further rights, terms and privileges, which are embodied and contained in Clauses (b) and (c) hereinafter mentioned, and subject further to the condition that the Company, its Successors in Title or Assigns, shall not sink boreholes which the Transferee, his heirs, Executors, Administrators or Assigns may have sunk for the purpose of developing water.

- (b) The Company, its Successors in Title or Assigns, shall be entitled to so much of the surface water as is not required by the Transferee, his Heirs, Executors, Administrators or Assigns, and shall further be entitled to all which may be developed by it through boring or conserved in dams or reservoirs, for the purpose of its mining operations.
- (c) The Company, its Successors in Title or Assigns, shall be entitled to appropriate such surface area and natural timber as it shall require for the purpose of carrying on its prospecting and mining operations, on the said land, and to pasturage and water for such cattle and other animals, as it may require therefore, and shall also be entitled to claim, re-transfer of so much of the aforesaid land as it may require for mining purposes and operations in connection therewith, on the basis of a compensation equivalent to that at which the Transferee's holding was in the first instance acquired plus the value of the improvements, such value to be settled in case of dispute by arbitration.
- (d) Should the Company, its Successors in title or assigns now wish to appropriate any ground as under Clause (c) it shall be obliged to fill up all holes and cuttings made by it during its prospecting and mining operations.
- (e) The Company, its Successors in Title or Assigns shall have the full right-of-way from the place of such prospecting, exploiting or mining to the nearest Government road or Highway, and also to the nearest convenient point on any neighbouring railway line. Should there be any road or track in existence on the farm reasonably convenient for these purposes, the Company shall use such road or track, but should there be no such reasonable convenience road or track, the Company shall have the right to make such a road or track, placing and maintaining gates in any fence which the road or track may pass through.
- (f) It is a special condition of the Transfer of the said property that in the event of the Company or its Successors in title desiring to waive its title to all minerals reserved and the rights attaching thereto, the transferee, or his Successors in Title shall when called upon by the

Company or its Successors in title, immediately take transfer of all such rights, and all costs of transfer, including transfer and stamp duty, shall be paid by the Transferee.

AND FURTHER SUBJECT to such conditions as are mentioned or referred to in the aforesaid Deed.

2. PORTION 5 (A PORTION OF PORTION 2) OF THE FARM BOKPOORT 312 REGISTRATION DIVISION K.R., THE PROVINCE OF LIMPOPO

MEASURING 566,6828 (FIVE HUNDRED AND SIXTY SIX COMMA SIX EIGHT TWO EIGHT) HECTARES

FIRST registered and still held by Certificate of Registered Title T110638/2001 with Diagram LG No. 4962/2001 annexed

SUBJECT TO THE FOLLOWING CONDITIONS:

(a) The Mineral Rights of the land hereby transferred together with all rights appertaining to the holder of Mineral Rights under the Precious and Base Metals Act of 1908 or any statutory amendment thereof, or any other Law and the rights to grant licences to search, prospect, work and mine for minerals under the regulations of the TRANSVAAL ESTATES AND DEVELOPMENT COMPANY LIMITED (hereinafter called the Company) for prospecting for the time being in force, are reserved to the Company, its successors in title or Assigns, who shall have sole right of prospecting and mining in, on, or under the said land for precious stones, gold, minerals, metals, oils, coal, lime and other mineral deposits, and for that purpose shall be entitled to sink shafts and boreholes, to construct dams, lay tram, pipe and electric lines, to erect buildings for employees and machinery and to carry on its mining operations unobstructed, subject to further rights, terms and privileges, which are embodied and contained in Clauses (b) and (c) hereinafter mentioned, and subject further to the condition that the Company, its Successors in Title or Assigns, shall not sink boreholes within a radius of 91,44 metre of the boreholes which the Transferee, his heirs, Executors, Administrators or Assigns may have sunk for the purpose of developing water.

(b) The Company, its Successors in Title or Assigns, shall be entitled to so much of the surface water as is not required by the Transferee, his Heirs,

Executors, Administrators or Assigns, and shall further be entitled to all which may be developed by it through boring or conserved in dams or reservoirs, for the purpose of its mining operations.

- (c) The Company, its Successors in Title or Assigns, shall be entitled to appropriate such surface area and natural timber as it shall require for the purpose of carrying on its prospecting and mining operations, on the said land, and to pasturage and water for such cattle and other animals, as it may require therefore, and shall also be entitled to claim, re-transfer of so much of the aforesaid land as it may require for mining purposes and operations in connection therewith, on the basis of a compensation equivalent to that at which the Transferee's holding was in the first instance acquired plus the value of the improvements, such value to be settled in case of dispute by arbitration.
- (d) Should the Company, its Successors in title or assigns now wish to appropriate any ground as under Clause (c) it shall be obliged to fill up all holes and cuttings made by it during its prospecting and mining operations.
- (e) The Company, its Successors in Title or Assigns shall have the full right-of-way from the place of such prospecting, exploiting or mining to the nearest Government road or Highway, and also to the nearest convenient point on any neighbouring railway line. Should there be any road or track in existence on the farm reasonably convenient for these purposes, the Company shall use such road or track, but should there be no such reasonably convenience road or track, the Company shall have the right to make such a road or track, placing and maintaining gates in any fence which the road or track may pass through.
- (f) It is a special condition of the Transfer of the said property that in the event of the Company or its Successors in title desiring to waive its title to all minerals reserved and the rights attaching thereto, the transferee, or his Successors in Title shall when called upon by the Company or its Successors in title, immediately take transfer of all such rights, and all costs of transfer, including transfer and stamp duty, shall be paid by the Transferee.

AND FURTHER SUBJECT to such conditions as are mentioned or referred to in the aforesaid Deed.

WHEREFORE the Appearer, renouncing all rights and title which the said

**JOHANNES JACOBUS KLOPPERS, Married as aforesaid**

heretofore had to the premises, did in consequence also acknowledge him to be entirely dispossessed of, and disentitled to the same, and that by virtue of these presents, the said

**GREENWAY FARM PROPERTY (PROPRIETARY) LIMITED  
No. 1995/006197/07**

its Successors in Title or Assigns, now is and henceforth shall be entitled thereto, conformably to local custom, the State, however reserving its rights, and finally acknowledging the purchase price to be the sum of R12 500 000,00 (TWELVE MILLION FIVE HUNDRED THOUSAND RAND).

IN WITNESS WHEREOF, I the said Registrar, together with the Appearer q.q., have subscribed to these presents and have caused the Seal of Office to be affixed thereto.

THUS DONE AND EXECUTED at the Office of the REGISTRAR OF DEEDS at Pretoria on

02 09 08



*[Handwritten signature]*  
\_\_\_\_\_  
q.q.

In my presence

*[Handwritten signature]*  
\_\_\_\_\_  
REGISTRAR OF DEEDS

**HERMAN BENJAMIN v.d. MERWE**  
Commissioner of Oaths/Kommissaris van Ede  
Ex Officio R.S.A.  
Practising Attorney/Praktiserende Prokureur  
5 Ontdekkers Road/Ontdekkersweg 5  
Roodspoor

**CERTIFIED TRUE  
COPY OF THE  
ORIGINAL**