

SWORN STATEMENT

I, the undersigned. Paul O'Sullivan, with ID No. 550826 5700 085, state under oath as follows:

I am a Certified Fraud Examiner, with more than 40 years of experience in crime investigation. The particulars as appear on the SAP3ma hereto are true and correct. Unless indicated to the contrary, the contents of this statement are within my own personal belief and are true and correct.

1 Background

In November 2013 Paul O'Sullivan and Associates ('POAA') chose to investigate certain fraudulent land purchases in the Badplaas area (Mpumalanga Province) as a matter of public interest. The fraud was committed using the fraudulent Ndwandwa Community Trust as a vehicle to complete transactions and steal vast sums of money from the public purse, whilst effectively bringing to an end, commercial farming in the Badplaas Valley, after more than 140 years.

2 Case Summary

The Land Restitution Act 22 of 1994 – Section 2(3) **only** relates to property where occupants were dispossessed on or after **19 June 1913** as a result of discrimination.

2.1

2002 – Ndwandwa Community Trust was formed by Pieter Visage ('Visage') (ID 610225 5004 085) and others for the purpose of filing fraudulent land restitution claims. It subsequently emerged that the claims filed, relate to land NOT falling within the ambit of Section 2(3) of Act 22 of 1994. That is, occupants dispossessed of land on or after 19 June 1913.

2.2

Alleged 'members' of the community trust includes fake names and identity numbers, as well as many duplicated identity numbers. This was based on a selective sample, a full audit would be required to determine the precise number of fictitious claimants. This audit would be time consuming and costly, but needs to be done.

2.3

Visage subsequently negotiated purchases of land with then white Afrikaans farm owners and offered these owners above market prices, thereby enticing them to enter into sales agreements, despite that fact that Visage had no means to pay for the land. Visage used various 'front' companies for these transactions.

2.4

Visage then on-sold (prior to meeting his obligations to the original owner) at vastly inflated prices, to the Regional Land Claims Commission ('RLCC') (for the benefit of Ndwandwa), despite the fact that the farms in question could **NEVER** had fallen within the ambit of Section 2(3) of Act 22 of 1994. POAA selected 5 farms at random (see Annexure 'A' attached map of said farms), out of the many farms 'acquired' by the so-called Ndwandwa Community Trust and analysed the history of the farms. See Annexure 'B' attached.

2.4

POAA carried out extensive investigations, which included:

- *In situ* inspections at the properties in question.
- Multiple enquiries at deeds registry, including pulling historical files.
- Numerous interviews and statements prepared.
- Numerous forensic enquiries and open-source research.

The result of all the above are contained with 10 lever arch files currently held by POAA, which need to be turned over to a proper investigating task-team.

2.5

Observations:

- None of the properties 'qualify' for restitution (see original Title Deeds copies attached as Annexure 'C', together with relevant 'Farm Register' entry.)



- Prices of properties were grossly inflated, by inciting land valuers to issue inflated valuations
- RLCC ultimately pays **R25,987.000** for 6 properties which is an approximate over payment of R15-million, assuming the farms qualified for 'restitution' which they did not. (I mention 6 properties here as one property was bought by the Government.)

2.6

Annexure 'D' is a graphical representation of the most recent transactions on the 6 farms in question.

Accordingly:

- The farms in the Badplaas Valley were settled on by white Afrikaans farmers for amounts of between fifteen Shillings and thirty Shillings in the early 1870's and therefore could **NEVER** have met the requirements in Section 2(3) of Act 22 of 1994. Our research reveals that this settlement was at the request of the then 'owner' of the land, being the Swazi King
- All land restitution claims were therefore fraudulent in the Badplaas Valley.
- Inflated prices were offered to the current white farmers by Visage, to convince them to sell to him, despite him not being able to consummate the contracts he entered into, without the cash from the ensuing 'buyer' ie the RLCC.
- Visage engineered back-to-back sales to the RLCC, so that he could profit from the fake land restitution claims. Part of the income was used to consummate the outstanding back-to-back deals. Nevertheless, he made substantial profit and a proper analysis of that cash flow, would discover evidence of the corrupt payments made to facilitate the fraud.
- The farms acquired by the RLCC for Ndwandwa Trust, are currently occupied by a small handful of black African persons (not part of any previously dispossessed community) who have, for the most part, allowed the farms to fall fallow and have sold-off anything of value on the farms, for cash. The (modern) farm-house dwellings have been stripped of geysers, copper-pipes, electrical wiring and fitted furniture. Farm equipment, including pumps, pipes, boilers, sprinklers and machinery are all gone. See sample photographs attached as Annexure 'E.'
- Because of the massive fraud perpetrated by Visage and others, land prices in the Badplaas Valley were fraudulently inflated between 70% and 2,300%, before finally causing the valley to go into slump, as commercial land farming collapsed completely.

3 Visage Corrupted Government Officials

In addition to what is set out at 2. above it is clear that, Visage colluded with corrupt officials from the RLCC and Government. By way of only two (there are many) documented examples:

- Visage received financial assistance from the RLCC with regards to his purchase of Portion 11 Farm Vygeboom. Various contractual conditions were set with the back-to-back sale of the farm to Visage. Visage did not meet these conditions and when the owners threatened to cancel the deal and take back the farm Mr Nceba Nqana (**'Nqana'**) the then Mpumalanga Regional Land Claims Commissioner, stepped in to assist Visage. See letters from Visage's transferring attorney, Swanepoel (attached as Annexure 'Fa' and 'Fb'). The amount of **R1,380,152.58** was unlawfully paid by the Department of Land Affairs to assist Visage, to buy, only to sell the land to the RLCC.
- Visage put in an enquiry with the then MEC of agriculture, David Mabuza, via Sonnyboy Maphanga (a current business partner of Mabuza), as to future payments for the balance of the restored land and the non-restored land to the affected claimant's communities.
- The MEC then commissioned a Joint Task Team (**'JTT'**) (comprising of DALA and ELCC officials) to investigate and to determine the payments due to Visage.
- The JTT claimed to have carried out a *'comprehensive and an in-depth investigation into this historic case.'* The JTT then unlawfully came to the conclusion that Visage's company was underpaid due to the discrepancy of movable and immovable assets.
- It was then agreed by Mabuza that Visage should be paid **R3 347 629.00**. (See Annexure 'Ga' and 'Gb' attached). It is patent that the *'comprehensive and an in-depth investigation into*

this historic case was nothing more than a fraud, as it deliberately failed to discover that the land was settled by white Afrikaans farmers in the early 1870's, and could therefore not be land that was subject to restitution claims.

4 Points of Concern for the community of South Africa and Badplaas

- This corruption affects the poorest of the Badplaas rural area community.
- If this scandal becomes public knowledge it can trigger severe repercussions, for the future of land reform in South Africa.
- At a land summit the ANC blamed the white farmers, attempting to trigger disunity between the white farmers and the black community, yet our investigation clearly shows it was the government appointed officials who corruptly diverted the money and facilitated the fraud.
- The Fraud and corruption has brought the Badplaas Valley to a poverty-laden standstill and scared off investors such as the proposed R25 billion Coca Cola project, losing thousands of jobs, not only to Badplaas, but to South Africa, as Coca Cola have now chosen a property in South America for the project, purely as a result of greed and corruption. IN the regard I refer to the letter from the IDC attached as Annexure 'H', hereto.

5 Formation of experienced Task-Team is required

I therefore request the police to form an experienced task-team, for the purpose of bringing to justice Visage and the corrupt officials he engaged with. My legal standing to bring this case comes from the fact that I am a substantial tax-payer and, like many South Africans am sick and tired of seeing the tax Rand being stolen in such a manner, by criminals and corrupt officials.

Prior to me signing this statement, I have carefully read through it and am satisfied that the facts are correctly and accurately recorded. The following questions were put to me in person by the commissioner of oaths and I entered the answers thereto in my own handwriting:

- 'Do you know and understand the contents of this statement?'
- 'Do you have any objection to taking the prescribed oath?'
- 'Do you consider the prescribed oath binding on your conscience?'

Yes
No
Yes


Paul O'Sullivan

I certify that the deponent has acknowledged that he knows and understands the contents of this statement which was sworn to before me and the deponents signature was placed thereon in my presence at GALLO MANOR on FOURTEENTH day of OCTOBER 2014


Commissioner of Oaths w/o.
217 BOWLING AVE.
GALLO MANOR.

S LEBEA
0454789-3



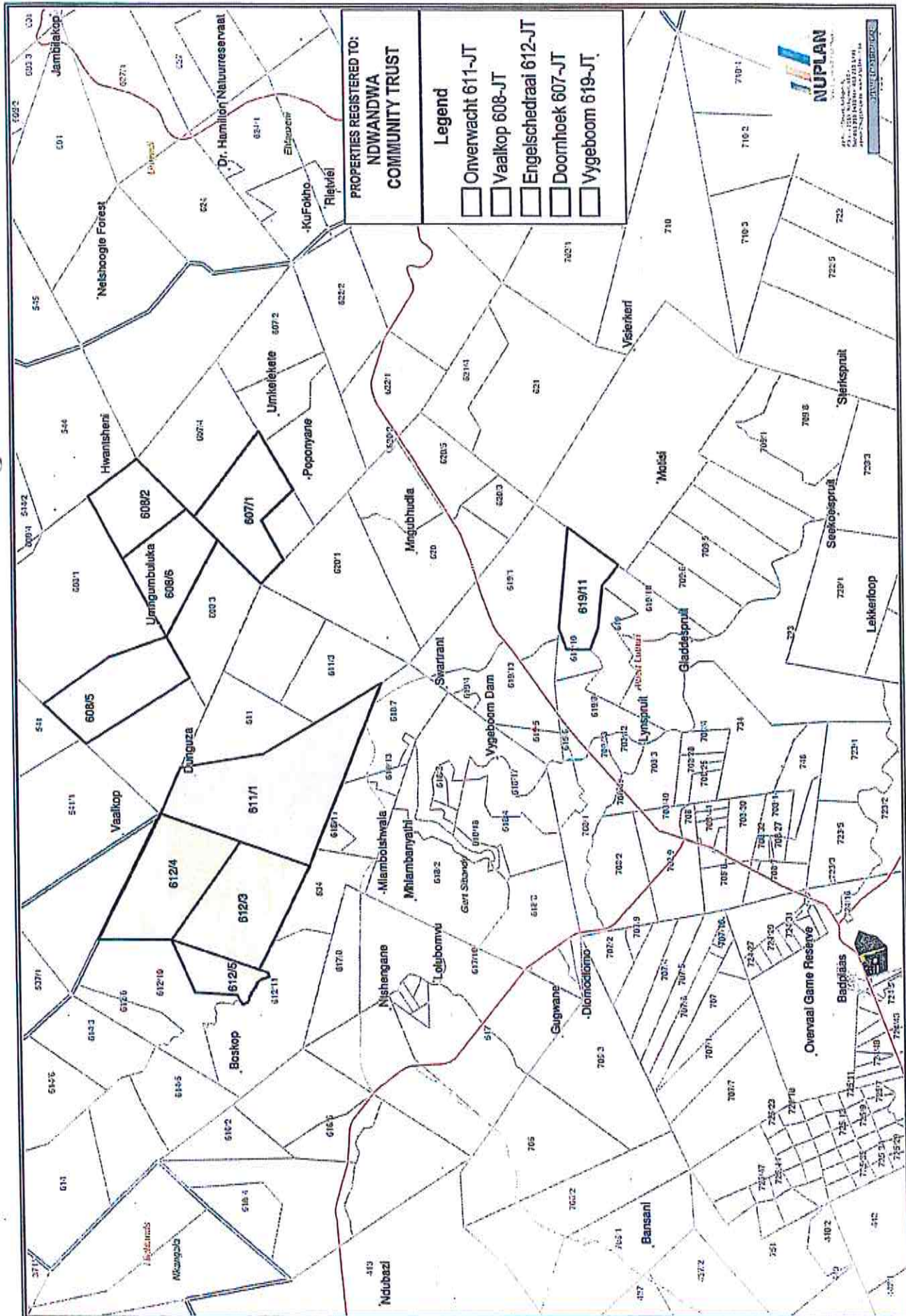


Table of Farm Ownership

Historical Transactions				Recent Transactions			
Farm Name	Owner	Date	Price (Sterling)	Penultimate Transaction	Value (R)	RLCC Transaction	Value (R)
Vaalkop 608	CE Fourie	1872-07-04	30 Shillings	1999-11-13	1 660 000	2003-10-14	8 298 250
Engelschedraai 612	SCG Wemmer	1872-09-02	30 Shillings	2002-07-26	2 622 000	2003-10-14	4 141 500
Doornhoek 607	LJ Nel	1870-07-04	30 Shillings	1997-04-09	250 000	2003-10-14	5 736 000
Onverwacht 611	HJ Steyn	1871-07-14	30 Shillings	2003	970 400	2003-10-14	3 335 750
Vygeboom 619	HT Buhrmann	1870-07-04	30 Shillings	2002-04-06	1 600 000	2003-10-14	4 475 500

ANNEXURE 'B'

[Handwritten signature]

No 1872
1369

DOOR ZYN HOOGHEDELEN
DEN STAATS PRESIDENT VAN DE ZUID-AFRIKAANSCH REPUBLIEK.
IN NAAM EN TEN BEHOEVE VAN HET
GOUVERNEMENT VAN DEN GEMELDEN STAAT.

WORDT mits dezen op voortdurenden Eigendom verleend en toegestaan aan

Christiaan Ernst Faurie b zw
zekere plaats of stuk land, genaamd Vaalkop No 1292 **Vaalkop**

gelegen in het district van *Gedursburg*

veldcornetschap van *Comnatic*

grootnaam gissing *Drie duizend* morgen ;

voorts bepaald en grenzende zoo als in het geannexeerde copy van rapport van inspectie, gedateerd den 22^{sten} Juny 1869

en ondertekend door G. J. van Nieuwenhof hoofd Inspecteur
J. C. Breijtenbach en W. F. Versfeld Inspectoren
en bygevoegde schets zal blyken.

Deze afstand wordt gedaan op voorwaarde dat alle wegen over dit land gaande, of die hierna op wettig gezag daarover zullen worden gemaakt, vry en ongehinderd zullen blyven ; dat dit land onderworpen zyn zal aan eene publieke uitspanning en weide voor het vee van reizigers, onder zulke bepalingen als daarentrent reeds zyn, of hierna door de wetgeving mogen worden gemaakt. Dat het gezegde land verder onderworpen zyn zal aan alle verplichtingen en reglementen als reeds zyn of voortaan megen worden vastgesteld, betrekkelyk landeryen op dergelyke voorwaarden afgestaan, en eindelyk dat de eigenaar zal gehouden zyn aan de prompte betaling van eene jaarlyksche Recognitie van de som van

een pond tien schillingen Sterling.

*in de draaiing op 29 augustus 1872 ge
transporteerd op
3 va
ap v*

Handwritten signature/initials

Gegeven onder myne hand en het publieke zegel van de Zuid-Afrikaan-
sche Republiek, te *Pretoria* op den *Vierden* dag
van *July* in het jaar onzes Heeren achttien honderd *twee* en zeventig.



Staats President van de Zuid-Afrikaansche Republiek.

Geregistreerd ten Kantore van den Registrateur van Acten te Pretoria, op
den *Vierden* dag van *July* achttien
honderd *twee* en zeventig. Boek *7.* Folio *1293*



Registrateur van Acten.



ISSUED FOR JUDICIAL
PURPOSES ONLY

G.P.S. 133721-1955-6-10,000

Naam van Etnas
Name of Etnas

Vaalkop

No. 182

Formerly 1293 Lydenburg

Registration Division

Carolina J.T.

Vervolg-folios
Continuation Folios

Folio 608

Grootte
Area

4594 m. 205 R.
4594 m. 205 R.

Waar Kaart getreke is
Where Diagram Filled

DB. 69 folio 18
DB. 69 folio 18

Vervysing na ou register—
Reference to old Register—

Distrik
District

Carolina

Administratiewe distrik
Administrative District

Best
Tenure

Folio 182/1 Book 2 C & R

In-stryk- ing No.	No. van Afte- No. of Deed	Datum Date	Eiens- Holding	Grootte Area	Transportgew. Transferor	Transporteem- er en Identifikasie Transferee and Identification	Verbande- Laste Bonds Charges	Survivale, ens. Survivables, etc.	Minus- stryk- ing Entry	Resiant Remainder
1	1369	1872	Farm	in 2 4594.205	Grondbrief d.d. 4.7.1872	Christiaan Ernest Fourie C. Sm.			2	
2	2018	20.8.72			C.E. Fourie C. Sm.	Jacobus Francois Joubert			3	
3	2019	20.8.72			J.F. Joubert	Pieter Johannes Fourie			5 Aks- B 6/2 70	
4	4342	25.9.98	Rem. Est. of Farm	612.70	P.J. Fourie	Gerrardus Johannes Wilhelmus de Jager			5	
	4517	13.5.25			Est. van G.W. de Jager	Willem de Jager			6	

BEAUFORT-PTO.

5.

DOOR ZYN HOOG-EDDELE
DEN STAATSPRESIDENT VAN DE ZUID-AFRIKAANSCH E REPUBLIEK,
IN NAAM EN TEN BEHOEVE VAN HET
Gouvernement van den gemelden Staat.

WORDT mits dezen op voortdurenden Eigendom verleend en toegestaan aan

zekere plaats of stuk land genaamd



Vygeboom

gelegen in het district van

veldkornetschap van

groot naar gissing

morgen ;

voorts bepaald en grenzende zoo als in het geannoteerde copy rapport van inspectie, gedateerd den

en onderteekend door

en bygevoegde schets zal blyken

Deze afstand wordt gedaan op voorwaarde dat alle wegen over dit land gaande of die hierna op wettig gezag daarover zullen worden gemaakt, vry en ongehinderd zullen blyven ; dat dit land onderworpen zyn zal aan eene publieke uitpanning en weide voor het vee van reizigers, onder zulke bepalingen als daaromtrent reeds zyn of hierna door de wetgeving mogen worden gemaakt. Dat het gezegde land eerder onderworpen zyn zal aan alle verplichtingen en reglementen als reeds zyn of voortaan mogen worden vastgesteld, betrekkelyk landeryen op dergelyke voorwaarden afgestaan en eindelyk dat de eigenaar zal gehouden zyn aan de prompte betaling van eene jaarlyksche Recognitie van de Som van

Sterling,

P. W. Botha
Staats-Präsident van de Zuid-Afrikaansche Republiek.

Registateur van Acten.

As.

Naam van Plaas
Name of Farm

Vygeboom

No. 138

Registrars-filing
Registration Division

Carolina

D.L.D. 135

Folio 137/1
Folio 619Verreke-folios
Continuation FoliosGrootte
Area

3675 m 472 a

Waar Kaart geldre is
Where Diagram FiledFormerly 696 Lydenburg
D.F. 80 folio 17Verwysing na ou register—
Reference to old Register—Distrik
District

Carolina

Administratiewe distrik
Administrative DistrictBesit
Tenure

Folio

137/1 Book 3 4.4.2.

In- stry- wing no. Entry No.	No. van Akte. No. of Deed.	Datum Date.	Hoewe Holding.	Van In- stry- wing From Entry.	Grootte Area.	Transportower Transferor.	Transportasie en Identifikasie Transfer and Identification.	Verbande, Lease, Bonds, Charges.	Servituute, ens. Servitudes, etc.	Minus less wing Minus Entry.	Restant. Remainder.
1. 5468	1870	Form	Form	3675 472	472	Grandorief	Hendrik Theodor Buhrmann			2	
2. 507	9.6.70			1		H.T. Buhrmann	Stephanus Johannes Scheepers and Richardus Francois Scheepers			4.5	
3. 1616	21.6.88	1/2 sh. m	Form	2		G.F. Scheepers	Stephanus Johannes Scheepers			4.5	
4. 7357	28.12.06			2 3		Est. Jek. S.J. Scheepers and Sare. S. Sare	Stephanus Johannes Scheepers Parti S. Sare				
5. 7358	28.12.08			2 3		do.	Jozua Scheepers			6	
REMARKS—B.T.O.											

ISSUED FOR JUDICIAL
PURPOSES ONLY

S.

No 1872
443



DOOR ZIJN HOOGHEDELEN
DEN STAATSPRESIDENT VAN DE ZUID-AFRIKAANSHE REPUBLIEK.
IN NAAM EN TEN BEHOEVE VAN HET
GOUVERNEMENT VAN DEN GEMELDEN STAAT.

*De plaats Engelse draai
in de draai van de
op 15 September 1872
Christiaan van der
Wijck*

WILDT hiet dezen op voortdurenden Eigendom verleend en toegestaan aan
zekere plaats of stuk land, genaamd **Engelsche Draai n° 1209**

gelegen in het district van **Engelsche Draai**

zelden met een groot naar de morgen

voort bepaald en grenzende zoo als in het geannexeerde copy rapport van in-
spectie, geteekend den **Jan 1879**

en onderteekend door **J. van der Merwe** en **W. J. W. van der Merwe**
en bygevoegde schets zal blyken.

Deze afstand wordt gedaan op voorwaarde dat alle wegen over dit land
gaande, of die hierna op wettig gezag daarover zullen worden gemaakt, vry en
ongehinderd zullen blyven; dat dit land onderworpen zyn zal aan eene publieke
nitspanning en weide voor het vee van reizigers, onder zulke bepalingen als daar-
omtrent reeds zyn, of hierna door de wetgeving mogen worden gemaakt. Dat
het gezegde land vorder onderworpen zyn zal aan alle verplichtingen en reglemen-
ten als reeds zyn of voortaan mogen worden vastgesteld, betrekkelyk landeryen
op dorgelyke voorwaarden afgestaan, en eindelyk dat de eigenaar zal gehouden
zyn aan de prompte betaling van eene jaarlyksche Recognitie van de som van

£ 100 Pond **Ten Shilling** Sterling

Rs.

Gegeven onder myne hand en het publieke zegel van de Zuid-Afrikaan-
sche Republiek, te *Pretoria* op den *negentiensten* dag
van *Februar* in het jaar onzes Heeren achttien honderd *twint* en zeventig

J. M. Smuts
j. m. s. Staats President van de Zuid-Afrikaansche Republiek.

Geregistreerd ten Kantore van den Registrateur van Acten te Pretoria, op
den *negentiensten* dag van *Februar* achttien
honderd *twint* en zeventig. Boek *H.* Folio *1209*

J. M. Smuts
Registrateur van Acten.

Es.

Naam van Plaas
Name of Farm

Engelsche Draai

No.

175

Registrasie-afdeling
Registration Division

Carolina

Vervolg-folios
Continuation FoliosFolio 175/1
Folio 612Grootte
Area

3857m 329 R

Waar Kaart gebore is
Where Diagram Filed

D.B. 2720 folio 18

Verwysing na ou register—
Reference to old Register—

Distrik

Carolina

Administratiewe distrik
Administrative District

Best.

Tenure

Folio

175/1 Book I 2 - R

In- stry- wing no. Entry No.	No. van Akte, No. of Deed	Datum Date	Hoewe Holding	Van In- stry- wing From Entry	Grootte Area	Transportgeen. Transferor	Transportrener en Identifikasie. Transferee and Identification	Verbonde, Laste Bonds Charges	Servituut, ens. Servitudes, etc.	Minu- teboek Minute Book	Residat. Remainder
1	443	1872	Farm		3857 ^m 329 ^R	Gronderief van 29.2.1872	Government of the Z.A. Republic			2	
2	1759	2.9.72		1		Government of Z.A. Republic	Samuel Christiaan George Wimmer			3	
3	1234	8.9.73		2		S.C.A. Wimmer	Frederik Rufus Jansz van Rensburg			4	
4	992	20.11.52		3		F.R. J. van Rensburg	Johannes Petrus Jansz van Voorwa			5	
							Continued overleaf				
											BLAAT OM-PTG

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PURPOSES ONLY

A.S.

DOOR HET HOOG-GERICHT
DEN STAATSPRESIDENT VAN DE ZUID-AFRIKAANSCH REPUBLIEK,
IN NAAM EN TEN BEHOEVE VAN HET
Gouvernement van den gemelden Staat.

WORDT mits dezen op voormeldem Eigendom verleend en toegestaan aan

zekere plaats of stuk land genaamd



Doornhoek

gelegen in het district van

veldkornetschap van

groot naar gissing

morgen :

voorts bepaald en afzetzende zoo als in het gezegde copy rapport van inspectie, gedateerd den

en onderteekend door

en bygevoegde, welks zal blyken

Deze afstand wordt gedaan op voorwaarden dat alle wegen oer dit land gaande of die hierna op wettig gezag daarover zullen worden gemaakt, vry en ongehinderd zullen blyven ; dat dit land onderworpen zyn zal aan eene publieke uitspanning en weide voor het vee van reizigers, onder zulke bepalingen als daaromtrent reeds zyn of hierna door de wetgeving mogen worden gemaakt. Dat het gezegde land verder onderworpen zyn zal aan alle verplichtingen en reglementen als reeds zyn of voortaan mogen worden vastgesteld, betreffelyk landeryen op dargelyke voorwaarden afgeslaan en sinderlyk dat de eigenaar zal gehouden zyn aan de prompte betaling van eene jaarlyksche Recognitie van de Som van

Sterling,

AS.

M. M. Botha
Staats President van de Zuid-Afrikaansche Republiek.

Registrateur van Acten.

A.S.

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G.P. 38131721-1955-6-10.000.

Nach-ym Plaas
Name of Farm

Doornhoek

No.

134607

Registrasie-afdeling
Registration Division

Carolina II

Verreig-folios
Condemnation Folios

Folio
Folio
607

Grootte
Area

340 1/2

Waar Kwart gebore is
Where Diagram Filed

D.B. 119 folio 24

Administratiewe distrik
Administrative District

Carolina

Beest
Tenure

Folio
Folio
1341

Verwysing na ou register—
Reference to old Register—

Book I L.L.R.

Datum
Date

1870

Houwa.
Holding

Farm

In-
stry-
wing
Entry
No.

1

5465

1870

Farm

Louis Johannes Nel

Transportgewer-
Transferor

Grondbrief

Verbande,
Laste,
Bonde,
Charges

Minus
last-
wing
Entry

2

407

20.3.80

1/2 5th in

**Louis Nel and
Jacobus Andries Nel**

Transporter en Identifikasie-
Transferee and Identification

**Louis Nel and
Jacobus Andries Nel**

Verbande,
Laste,
Bonde,
Charges

Minus
last-
wing
Entry

3

13

9.1.82

Farm

**L. Nel and
J.A. Nel**

Transporter en Identifikasie-
Transferee and Identification

**L. Nel and
J.A. Nel**

Verbande,
Laste,
Bonde,
Charges

Minus
last-
wing
Entry

4

14

9.1.82

Farm

**J.J. de Clerk
Petrus Johannes Fourie**

Transporter en Identifikasie-
Transferee and Identification

**J.J. de Clerk
Petrus Johannes Fourie**

Verbande,
Laste,
Bonde,
Charges

Minus
last-
wing
Entry

5

1081

8.12.85

Farm

**Leendert
Daniel Jozebert**

Transporter en Identifikasie-
Transferee and Identification

**Leendert
Daniel Jozebert**

Verbande,
Laste,
Bonde,
Charges

Minus
last-
wing
Entry

6

BLAATOM-PTO

*De plaats onverwacht 18-10-60 in
degen gronding onseken is op
hoofden van 14 den july 1871 op*

*Godefrid
Ralf v. d. Merwe van Vuur
Eg. v.
H. v. d. Merwe*



DOOR ZYN HOOGHEDELEN
DEN STAATSPRESIDENT VAN DE ZUID-AFRIKAANSCH REPUBLIEK,
IN NAAM EN TEN BEHOEVE VAN HET
GOUVERNEMENT VAN DEN GEMELDEN STAAT.

WORDT met dezen op voortdurenden Eigendom verleend en toegestaan aan

Hermanus Johannes Steyn
zeker plaats of stuk land, genaamt Onverwacht 18-10-60

gelegen in het district van *Sydenburg* **Onverwacht**

veldeernetschap van *Communie*

groot naar omvang *Tien duizend vijf honderd* morgen

voorts bepaald en grenzende zoo als in het geannexeerde copy rapport van in-
spectie, gedateerd den *23 steen Juny 1869*

en onderteekend door *O. J. van Riebeeck Voorzitter, J. H. Kriekenbake*
en *W. F. Verheide Inspecteur*
en bygevoegde schets zal blyken

Deze afstand wordt gedaan op voorwaarde dat alle wegen over dit land
gaande, of die hierna op wettig gezag daarover zullen worden gemaakt, vry en
ongehinderd zullen blyven; dat dit land onderworpen zyn zal aan eene publieke
uitspanning en weide voor het vee van reizigers, onder zulke bepalingen als daar-
omtrent reeds zyn, of hierna door de wetgeving mogen worden gemaakt. Dat
het gezegde land verder onderworpen zyn zal aan alle verplichtingen en reglemen-
ten als reeds zyn of voortaan mogen worden vastgesteld, betrekkelyk lunderyen
op dergelyke voorwaarden afgestaan, en eindelyk dat de eigenaar zal gehouden
zyn aan de prompte betaling van eene jaarlyksche Recognitie van de som van

Ben pond tien shillings Sterling

As

Gegeven onder myne hand en het publieke zegel van de Zuid-Afrikaan-
sche Republiek, te *Pretoria* op den *Geratien* dag
van *July* in het jaar onzes Heeren achttien honderd *een* en zeventig.


Staats President van de Zuid-Afrikaansche Republiek.

Geregistreerd ten Kantore van den Registrateur van Aeten te Pretoria, op
den *Yennedun* dag van *Septembur* achttien
honderd *een* en zeventig. *Kont. 7. fols 106.*


Registrateur van Aeten.

Bo

ISSUED FOR JUDICIAL PURPOSES ONLY

G.P.-S.13721-1925-6-10,000.

Name van Plaas
Name of Farm

Onverwacht

104611

Registrasie-afdeling
Registration Division

Carolina J.T.

Vervolg-folios
Continuation Folios

Folio
Folio

D-13721-1925-6-10,000
Folio
Folio

Grootte
Area

Surveyed in 2 Pias.
Surveyed in 2 Pias.

Formerly 1060 Lydenburg
Waar Kant gebore is
Where Diagram Filed

Eastern Pias
Western

1633 m. 554 R. D.T. 4431/1914
1916 - 177 -
3030 - 131

Vervysing na ou register—
Reference to old Register—

District

Carolina

Administratiewe distrik
Administrative District

Best
Tenure

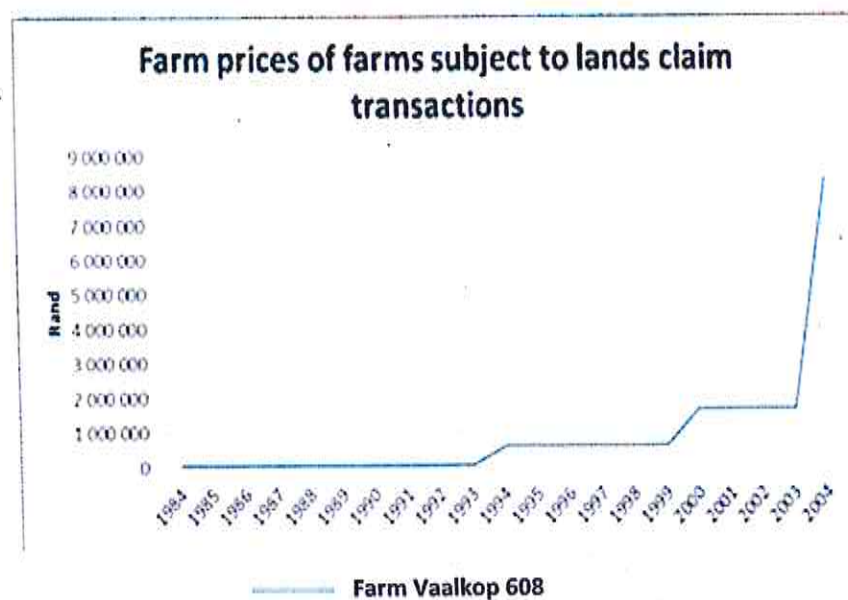
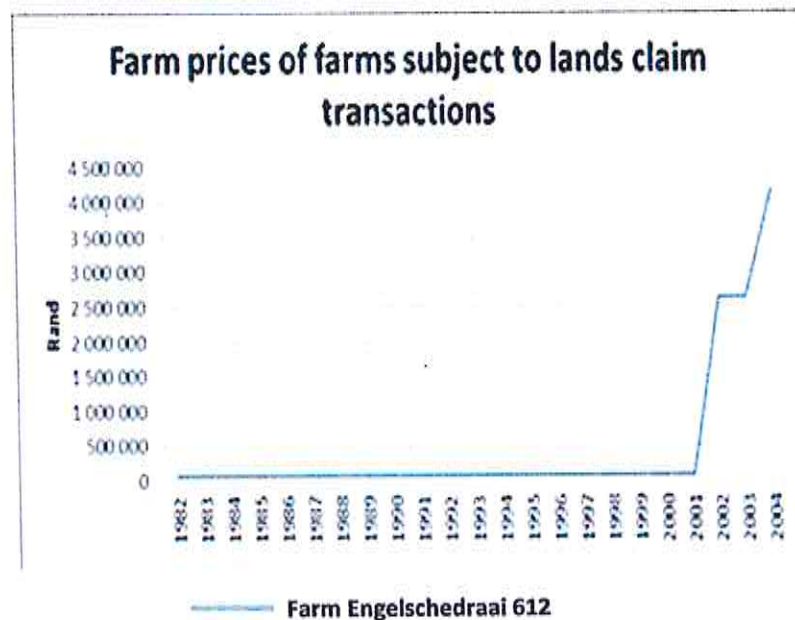
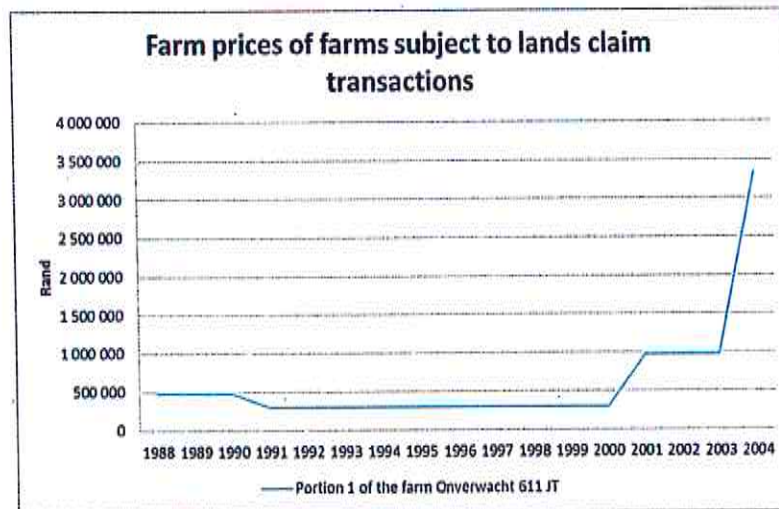
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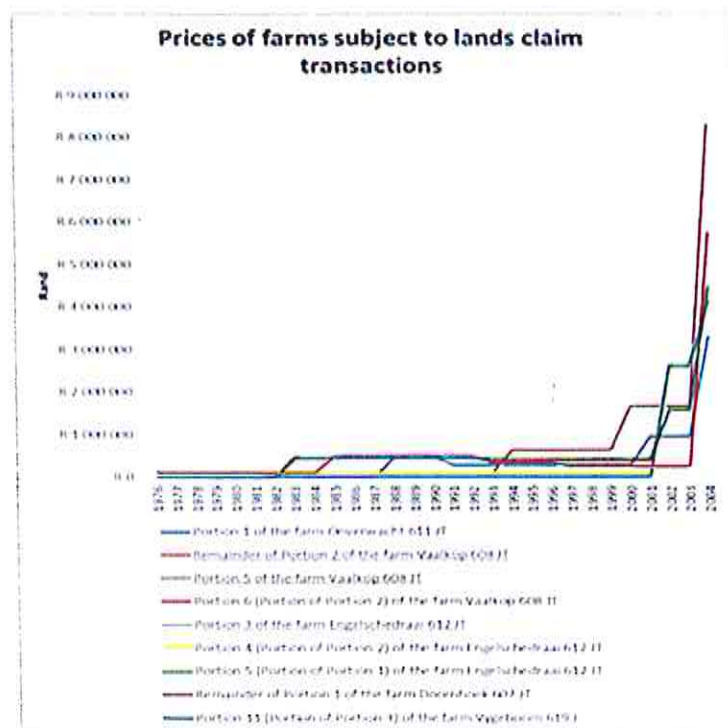
1641

Book I 2.2.2.R.

No. van Akte No. of Deed	Datum Date	Hoewe Holding	Grootte Area	Transporte Transfer	Transporte en Identifikasie Transfer and Identification	Verbande Laste Bonds Charges	Servituut, ens. Servitudes, etc.	Minus Inkwyng Minus Entry	Resiant Remainder
1. 9296	1871	Farm	3050.131 m. ²	Grondboek 2d. 1.7. 1871	Hermanus Johannes Steyn			2	
2. 9298	14.7.71			H.J. Steyn	Lodewyk de Jager Roelof J. de Jager J. van Vuren R.J. Steyn			3	
3. 6503	5.8.13	1/2 5th in Farm		M.C. de Jager (bn v. Vuren) wid. and Est. late L. de Jager	Magdalena Sibhanna de Jager (bn v. de Vuren) wid. v. de Jager				
					By Deed of Billition dt. 2/6/14 the farm as held under D.T. nos 9298/71 and 6503/13 has been subdivided by the Joint Owners as follows:—Eastern and Western Pias				
					R.F. = Nth.				

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ANNEXURE 'E'



Dilapidated Greenhouses

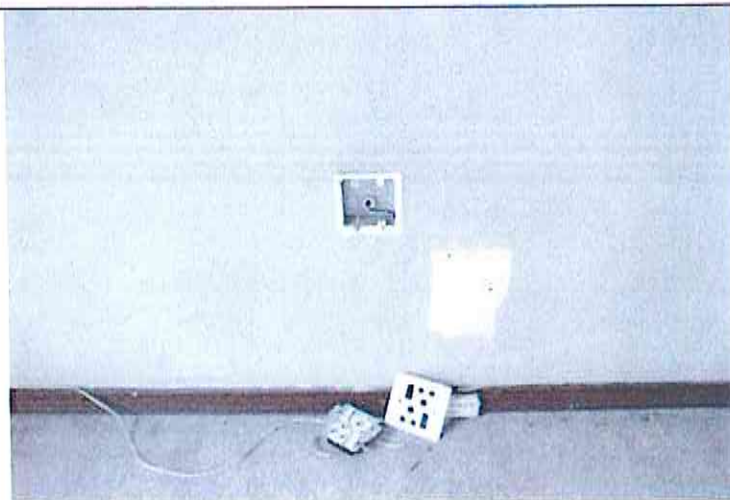


Dilapidated Greenhouses



Derelict Farm House

[Handwritten signature]



Vandalised Electrics in Farm House



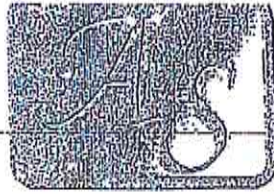
Derelict Farm House



Derelict Farm House

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45



Annexure 'Fa'

ANNEMARIE SWANEPOEL
PROKUREURS/ATTORNEYS

AKTEVERVAARDIGER / CONVEYANCER

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NELSPRUIT
1200

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Nelspruit 1200

Docx No: DX33, NELSPRUIT
e-mail: info@aswanepoel.co.za

Tel: (013) 752 4908/9/10
Fax: (013) 752 4911

Ons verw/Our ref: A SWANEPOEL/DALEEN/SV0163
U verw/Your ref: M WESSELS

03/05/2004

MACROBERT ING
PRETORIA
PER FAKS: (012) 339-8300 0866 125020

Menere,

U KANSELLASIE: V3 CATTLE RANCH (PTY) LTD / CA WESSELS
U KANSELLASIE: NOTARIELE VERBAND / V3 CATTLE RANCH (PTY) LTD
U OPHEFING: ENTERDIK 1-24/71/1997C
ONS TRANSPORT: V3 CATTLE RANCH (PTY) LTD / THE NDYANDWA COMMUNITY TRUST
GEDEELTE 11 (IN GEDEELTE VAN GEDEELTE 3) VAN DIE PLAAS VYGERCOM 619

Ons verwys na bovermelde aangeleentheid en bevestig dat ons toesien tot bogemelde transport.

Ons onderneem om die dag na registrasie van hierdie transaksie die volgende bedrae te betaal in die rekening van

CA WESSELS
STANDARD BANK NELSPRUIT
REKENINGNOMMER 030296773

1. R1,080,000.00 plus rente bereken teen 15% per jaar vanaf 30 April 2004 tot op datum van registrasie van bogemelde transaksie, beide dae ingesluit;
2. R144,000.00 plus rente bereken teen 15% per jaar vanaf 30 April 2004 tot op datum van registrasie van bogemelde transaksie, beide dae ingesluit;
3. R130,000.00 plus rente bereken teen 15% per jaar vanaf 30 April 2004 tot op datum van registrasie van bogemelde transaksie, beide dae ingesluit.

Hierdie onderneming is onderhewig aan die uitbetaling van fondse deur die Departement van Grondsake.

Die uwe

A SWANEPOEL PROKUREURS

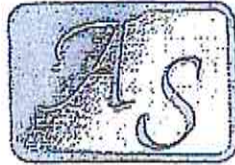
Per:

Annemarie Swanepoel (BLC LLB)
Consultant / Konsultant
JA Jackson

TEL: 013 752 4908

TELEFAX: 013 752 4911

POBOS Tel: 013 752 4908/9/10



**ANNEMARIE SWANEPOEL
PROKUREURS / ATTORNEYS**

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e-mail: info@aswanepoel.co.za

Tel: (013) 752 4908/9/10
Fax: (013) 752 4911

Ons verw/Our ref: A SWANEPOEL/ROLENE/SV0163
U verw/Your ref: MJF/CS 677108

15/06/2004

PER FAKS: 0866 126 028

MACROBERT ING
PRETORIA

Meneer/Me

ONS TRANSPORT: V8 CATTLE RANCH (PTY) LTD / NDWANDWA COMMUNITY TRUST
U KANSELLASIE: V8 CATTLE RANCH (PTY) LTD / CA WESSELS
U KANSELLASIE: NOTARIËLE VERBAND / V8 CATTLE RANCH (PTY) LTD
U OPHEFFING: INTERDIK 1-24071/1997 C
GEDEELTE 11 (GEDEELTE VAN GEDEELTE 3) VAN DIE PLAAS VYGEBOOM 619

Bogemelde aangeleentheid verwys.

Ons bevestig dat die transaksie vandag in die aktekantoor geregistreer het. Geliewe ons asseblief van u kansellasiekostes te voorsien.

Die regering het bevestig dat hulle die geld sal oorbetaal, maar dat dit eers teen Vrydag beskikbaar sal wees. Ons bevestig verder dat ons die volgende bedrae, wat rente insluit, aan u sal oorbetaal sodra die fondse beskikbaar is:

- | | | |
|----|----------------|---------------|
| 1. | Aan CA Wessels | R1 100 860.27 |
| 2. | | R 146 781.36 |
| 3. | | R 132 510.95 |

Ons verneem spoedig van u.

Die uwe

 nms
ANNEMARIE SWANEPOEL PROKUREURS

Annemarie Swanepoel (BLC LLB)
Consultant / Konsultant
JA Jackson

130-2 82294

ANNEMARIE SWANEPOEL

00001310001 1411 013 752 4908

REKONSILIASIE STAAT

1) Waarborg R1 080 000,00

<u>Tydperk</u>	28 April 2004 – 15 Junie 2004	=	49 dae
<u>Rente per jaar</u> @ 15% per jaar op R1 080 000,00		=	R 162 000,00
<u>Rente per dag</u>	R162 000,00 ÷ 365	=	R 443,83
Rente vir tydperk 49 dae x R443,83		=	R 21 747,67
Plus Kapitaal		=	<u>R1 080 000,00</u>
Bedrag verskuldig		=	R1 101 747,67
Bedrag ontvang		=	<u>R1 100 860,27</u>
I A TEKORT		=	R 887,40

2) Waarborg R 144 000,00

<u>Tydperk</u>	28 April 2004 – 15 Junie 2004	=	49 dae
<u>Rente per jaar</u> @ 15% per jaar op R144 000,00		=	R 21 600,00
<u>Rente per dag</u>	R21 600,00 ÷ 365	=	R 59,18
Rente vir tydperk 49 dae x R59,18		=	R 2 899,82
Plus Kapitaal		=	<u>R1 44 000,00</u>
Bedrag verskuldig		=	R 146 899,82
Bedrag ontvang		=	<u>R 146 781,36</u>
2A TEKORT		=	R 118,46

See b.c of klemmer
agreement for term 2002-2010
(say 8 years) 15 April 2010
15 April 2002 - 2010.

May 15/2012
15 April 2002

Should pay you
R6000 x

Gov. paid 3/5/2002
R 283,000. Tushi



3) Waarborg R130 000,00

<u>Tydperk</u>	28 April 2004 – 15 Junie 2004	=	49 dae
<u>Rente per jaar</u>	@ 15% per jaar op R130 000,00	=	R 19 500,00
<u>Rente per dag</u>	R19 500,00 ÷ 365	=	R 53,42
Rente vir tydperk 49 dae x R53,42		=	R 2 617,58
Plus Kapitaal		=	<u>R 130 000,00</u>
Bedrag verskuldig		=	R 132 617,58
Bedrag ontvang		=	<u>R 132 510,95</u>
3A TEKORT		=	R 106,63

NOTA

- 1) Die tydperk word bereken met insluiting van die eerste en laaste dag. 28 April tot 15 Junie is dus 49 dae. Die kontrak is gedateer 28 April.
- 2) Volgens die Brief van Onderneming is die tydperk foutief vanaf 30 April in plaas van 28 April. Dit is die rede vir die TEKORT 1A TOT 3A hierbo vermeld. (totaal R1 112,49)
- 3) Wat betref waarborg 3 is daar egter deur V8 Cattle Ranch op 27 April 'n bedrag van R15 000,00 betaal en daarom moet die rente eintlik bereken word op R115 000,00 en nie op R130 000,00 nie. Die rente op R115 000,00 beloop R2 315,74 plus kapitaal van R115 000,00 is dus R117 315,74. Daar is egter 'n bedrag van R132 510,95 ontvang wat in berekening gebring moet word wanneer die uitstaande bedrag van BTW van R104 289,00 betaalbaar is op 27 Junie 2004.



Mpumalanga Provincial Government

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Riverside Office Complex
White River / Nelspruit Road



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DEPARTMENT OF AGRICULTURE AND LAND ADMINISTRATION

Litiko Letekulima Kanye
Nekuphatlwa Kwemhlaba

Departement van Landbou, en
Grondadministrasie

Umyango Wezokulima,
Nebhodulukk
KweNarha

MEMORANDUM

To: Office of the MEC
From: Land Reform Services

Re: Joint Task Team report on Evaluation of information surrounding Mr.
P. Visagie properties @ Badplaas

Aims and Objectives:

- a) To forward to the MEC and the RLCC an objective and recommended settlement option(s) on the valuation of Mr. P. Visagie properties with regards to standardization and uniformity of applicable property valuations approaches and modalities in relation with distinct agricultural land (dry/rain-fed land, irrigable land and irrigation land) as well considerations on local and district variations.
- b) To access MEC consent and approval on the final settlement of Mr. P. Visagie enquiry with regards to perceived and/or actual due and outstanding payments to be rendered by the Regional Land Claims Commission [RLCC].

Background Information:

Mr. P. Visagie has lodged a complaint with the MEC of Agriculture and Land Administration where he has indicated that he is not getting any satisfactory responses from the RLCC.

Mr. P. Visagie was part of a settlement arrangement of a claim lodged against the properties owned by him or his legal entities.

Two (2) identified outstanding matters for immediate resolution are:

- a) **Portion 8 of the farm Onverwacht 611 JT: The issue of this property that still needed to be valued was taken up with the RLCC office.**
 - The RLCC, jointly with DALA and Mr. P. Visagie conducted an in-loco inspection of the whole farm Onverwacht 611 JT with the objective to establish terms of reference for an appointment of a Valuer, which is under RLCC procurement processes.
 - Note that the farm Onverwacht 611 JT did undergo some sub-divisions with regards to construction of a mine dam and other inherent developments hence the review of the terms of reference on the valuation has been imperative.
- b) **The restored balance of the claimed land under the ownership of Mr. P. Visagie.[See Attached Ministerial Approval, as Annexure A)**
 - The RLCC did receive Ministerial Approval (Section 42D Approval) for purchase of these properties on behalf of the claimant community (Ndwandwe Trust), with the underlying assumption that the payment rendered includes the purchase of the land (9.3) and acquisition of claimants grants (9.5).
 - As the Land sale agreements excludes movable assets(9.4), the Ministerial Approval recommended that this section warrants thorough deliberation unless to fall under Section 42 C Approval(indicating use of claimants grants to purchase/acquire the movable assets)
 - The RLCC did made an application for approval of the Section 42 C to purchase critical movable assets[See Attached RLCC Approval, as Annexure B)

Current Situation:

A Joint Task Team comprised of DALA [S. Maphanga & L. Coetzer] and RLCC [B. Mlomo & G. Mchunu] has been established with the briefs to investigate and determine feasible settlement options over this case, in particular of whether the RLCC did pay what is due to Mr. P. Visagie or there is any outstanding payment due or owed by Mr. Visagie to the RLCC.

- The balance of the matter to be settled with Mr. Visagie stems from some undertakings by the RLCC staff and previous members of the Ndwandwe Trust. The JTT is of the opinion that the undertakings made and entered into by Mr. Visagie with the RLCC and Ndwandwe Trust is not being adhered.
- There have been leadership changes as well as restructuring of the Ndwandwe Trust, and it became difficult to take on board the new Trustees to honor the undertakings made by the initial Trustees.
- The State Attorney's also nullified an agreement undertaken by the RLCC with the initial Trustees as it lacked actual Ministerial Approval as well as objections from the Attorneys for the Ndwandwe Trust with regards to the undertakings entered into by the three (3) parties involved.

Critical Considerations of the properties:

It has come to the JTT attention that various valuation formulas have been used during 2003/2004 using different approaches as per instruction of the RLCC.

- It becomes clear that the irrigation infrastructure of Mr. Visagie was excluded and was not valued as part of the farm but as lose/movable assets.
- This type of irrigation infrastructure was included in later valuations of various other properties as the terms of reference was amended by the RLCC.
- The JTT is of the considered opinion that all the land owners have not been given the same treatment by the State.

In order for us to give a fair and balanced overview of possible approach the following has been undertaken.

- Valuation reports were scrutinized to determine the approach undertaken by the Valuers. As valuations are not an exact science we must believe that there could be different opinions expressed and that the JTT now need to make an assessment of these interpretations.
- The decision and formulas used to amend the original sale's agreements is also not clear. There is no indication on how the settlement of payment was reached. E.g. (Vygeboom sale all inclusive = R10, 210 000.00 the assets were R7, 760 000.00 the final payment was R4, 475 500.00. If all assets were exclude from the sale the RLCC should have only paid for the land to the value of R2, 450 000.00 and not the R 4, 475 500.00 paid)
- The Vaalkop properties original sale's agreement was R10, 330 000.00 with addendum where the farm was purchased for R8, 298,250.00 assets worth R930 000.00 where excluded. In fact the land price should have been R9 40000.00.
- Doornhoek farms original offer R8, 130.000.00 addendum R5, 736,000.00 assets worth R2, 498,000.00 were excluded and should have resulted in a price of R5, 632,000.00.

Farm	Original price®	Addendum®	Lose assets ®	Over payment
Vygeboom	10,210 000.00	4, 475 500.00	7, 760 000.00	2,025 500.00
Vaalkop	10,330 000.00	8, 298,250.00	930 000.00	-1,101 750.00
Doornhoek	8, 130.000.00	R5,736,000.00	2,498,000.00	102 000.00
Total:				1,025 750.00

Critical Notes on Irrigable land:

During the assessment the JTT needed to determine the water rights allocations to the farms to verify the land size that could be irrigated and the associated cost and if the valuations covered the right extent. It also came to the JTT attention that most of these properties were valued without the verified information from DWAF.

After consultation with DWAF concerning the properties water allocation in the Upper Komati Basin, this office was informed that they had the following allocation set for the specific area.

DWAF Allocation: 6000 m³/yr/ha in Notice 2042/91 Gov Gazette 13468 of 23 Aug 1991.

However the exact hectares to be irrigated needed to be verified. DWAF was not in a position to provide this requested information. The assumption then was that whatever has been in use is the extent that would have been verified according DWAF legislation.

Case Study and Comparative Analysis on Valuation Approaches:

Brandon from Bear-world Valuers that undertook the valuations on behalf of the RLCC had the following to say about their approach on ploughable land and its potential for irrigation:

- α. Land under pivot irrigation : R7000/ha
- α. Other irrigation : R 5000/ha
- α. Arable land : R 2000/ha

This however excluded the Irrigation equipment.

The JTT is under the impression that the water, dams, and underground pipelines forms an integral part of the land by using such an approach and could not be valued separately from each other. If not done in this fashion it would mean that the assets must be valued separately from each other and valued and described as dry land.

- By comparing valuations of the Tenbosh claim properties, a valuation done during March 2006 by the RLCC, the valuation report indicated that one should be prepared to pay R32 000 for high potential land with a pivot (land, infrastructure + water) but excluding the crop.

In the event of the Visagie properties there were no permanent crops but only annual crops. It was only on the farm Vygeboom where pastures were planted and which is of a more permanent nature.

A valuation commissioned on the farm by Kees Zyn Doorns, also in close proximity to the Visagie properties, in October 2003 by the RLCC resulted that for land irrigated under centre pivot and dragline irrigation a suggested value of R17 000/ha was realized.

- The same principle was not utilized when the Visagie properties were valued.

Property	Price irrigation land @/ha	Dry land @/ ha	Comments
Pt5 Vaalkop 608 JT	425 ha @ R10 500	12 ha @ R6000/ha	6 Pivots(sold 100ha to mine prior valuation)
Vygeboom 619 JT	200ha @ R 8000/ha		
Pt5 Doornhoek 607 JT	30 ha @ R 8000/ha		243.82 ha water rights un verified
Pt1 Doornhoek 607 JT	120 ha @ R 8000/ha	300 ha @R3500/ha	128 ha under pivots*4

By taking the valuation report of the lose assets and breaking it down to hectare price the valuation of Mr. Visagie's Centre pivots and dragline irrigation equipment would mean in effect that he would be getting for:

Farm	Value of irrigation equipment/ha	Land price for irrigation land/ha	Total cost	Deviation (To be Paid by RLCC= R17 000)
Vaalkop	2 pivots R5000/ha extra	R10500/ha	R15 500	R1500
Doornhoek	4 Pivots R12000/ha	R8000/ha	R 20 000/ha	-R3000
Vygeboom 619 JT	Dragline/ Quick coupling pipes R 815/ha	R 8000/ha	R 8 815/ha	R 8185

N.B. Using the Tenbosh claim a valuation done during March 2006 by the RLCC paid R32 000/ha for high potential land with pivot excluding the crop (land, infrastructure + water).

The land in the Badplaas area for irrigation is of lesser value due to the land's locality, potential and the soil quality. (Sandy loam versus Hutton of Nkomazi) The price difference is also not of such significance as it is only R12000 more in a three years period (2003 ≥ 2006) and it is also in a totally different environment.

The JTT can thus assume that a fair price for irrigated land under centre pivots for the Badplaas area in 2003/04 would have been R15-17 000/ha (including

water, land and equipment depending on the quality of the land as suggested in the Keez Zyn Doorns valuation.

- ⌘ An additional point to ponder over relates to the valuation reports not making any mention of water certificates or includes water certificates as attachments.
- ⌘ The valuation report however does take into account water infrastructure in its assessment to determine the value's for the affected land.
- ⌘ The JTT can then assume that the water infrastructure and water would be part and parcel of the sales agreement.

Conclusion:

- ⌘ It is the JTT opinion that the **original sales agreement** entered into by the RLCC and the land owner should be agreeable to the sale of the farm, its improvements and the equipment.
- ⌘ The **addendums** are only talking to the price of the farm and everything else in the original sales agreement is thus still the same. (Nullifying the letter of the State Advocate and underwriting the letter from the RLCC to use the 42C grant).
- ⌘ This makes provision for the sale of the equipment as well but is now excluded from the original sales price but never concluded. (The question arising is, did the RLCC bought the equipment at this reduced price or was it excluded. No such exclusion of equipment in the original sales agreement is available as there is no documentation speaking to it.)
- ⌘ In the event of the RLCC applying the same valuation terms of reference on the affected properties it would mean that the Irrigation land would escalate and a different price would probably have been realized of between R15 000/ha - R17 000/ha This would have affected the overall land price to be paid as well:

Farm	Difference in Irrigation@/ha Total	Addendum price	Proposed price for farm
Vaalkop	R637 500.00	R8, 298,250.00	R 8, 935,750.00
Doornhoek	R3,000 000.00	R5,736,000.00	R8 736 000.00
Vygeboom	R1,637 000.00	R4, 475 500.00	R 4,185 629.00
Total	R 5,274 500.00	R18 609 750.00	R21,857 379.00

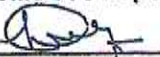
- ⌘ We must also believe that the JTT interpretation will be open for possible questioning.
- ⌘ The JTT did however try to give an honest, un-biased and objective opinion on the discrepancies and variations of property valuations as undertaken by the RLCC.

The JTT is also of the opinion if Mr. P. Visagie should be treated the same and equal to the other land owners with valuations undertaken by the RLCC as far as permanent irrigation infrastructure would concern.

- Government should still pay Mr. P. Visagie the difference between the amount due (R21, 857, 379) and what Government has already paid to date (R18, 509, 750) and that all the irrigation equipment will then become part of the fixed assets on the farm and should not form part of the valuation for the lose assets.
- Total amount due to Mr. Visagie remains at a figure of three-million three-hundred and forty-seven thousand and six-hundred and twenty-nine rand only (R3 347 629.00).
- Mr. P. Visagie can then make a decision about all the other assets belonging to him either to sell it to the RLCC or the community if they have any interest or he could dispose of it. He could even pursue his right to force the RLCC to pay for the lose assets as it was signed and sealed in the original sales agreement.

We hope this document would give Mr. Visagie a comprehensive response on his enquiry to the Office of the MEC with regards to the above matters.

This JTT Report was compiled by:


L. Coetzer

Chief Agricultural Development Technician.

Date: 9/12/08


SS Maphanga

Deputy Director: Land Reform Services

Date: 9/12/08.



MPUMALANGA PROVINCIAL GOVERNMENT

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Department of Agriculture and Land Administration Office of the MEC

Liliko Letekulima Kanye
Nekuphatlwa Kwemhlaba

Departement van Landbou en
Grondadministrasie

Umyango Wezokulima
Nebhoduluko KweNarha

Enquiries: S. Maphanga/L. Coetzer
Reference: JTT/P. Visagie/08

Ms T. Seboka
The Provincial Commissioner
Regional Land Claims Commission
Private Bag x 11330
NELSPRUIT
1200

Dear Ms Seboka

**SUBJECT: MEC APPROVAL OF THE JOINT TASK TEAM (JTT) REPORT ON THE
MR. P. VISAGIE ENQUIRY**

Above matter refers to an enquiry by Mr. P. Visagie on the future of payment(s) due for the balance of the restored land as well as the none restored land to the affected claimant's communities.

The MEC commissioned a Joint Task Team, comprised of DALA and RLCC Officials to investigate and determine the payment(s) due to Mr. P. Visagie [See attached JTT Report].

The JTT has done comprehensive and an in-depth investigation into this historic case, through perusal of all sales agreements, including valuation reports, between Government (as represented by the RLCC) and Mr. P. Visagie (as a Land-owner) on all the restored properties on behalf of the Ndwandwe Trust [See attached Ministerial Section 42 D Approval and RLCC Section 42 C Approval].

MEC-APPROVAL/JTT REPORT

More-over the JTT did conduct case studies and comparative analysis of property valuations and acquisition reports in the adjoining farms in the Badplaas area as well as Tenbosch (Nkomazi) with the view to access a balanced perspective given existing local and district variations and specifics.

The JTT has un-earthed number of discrepancies and inconsistencies of the RLCC valuation approaches, and came to the conclusion that the outstanding payment(s) is in part due to the separation and classification of Irrigation Infrastructure and equipment as movable assets, instead of being classified as immovable assets and be attached in the valuation of the land, i.e. Section 42 D Approval rather Section 42 C Approval route.



**SUBJECT: MEC APPROVAL OF THE JOINT TASK TEAM (JTT) REPORT ON THE
MR. P. VISAGIE ENQUIRY**

The difference between the amount due inclusive of the irrigation infrastructure and equipment against the amount paid totals three-million three-hundred and forty-seven thousand six-hundred and twenty-nine rand [R 3 347 629] only.

It is the MEC considered opinion that the RLCC need to render this due payment, as well as to ensure that valuation approaches and modalities are standardized with the objective to interact and relate with any land-owner on a fair and equitable basis.

Thanks



MR D.D. MABUZA

MEC: AGRICULTURE AND LAND ADMINISTRATION

06/01/2007
Date

Copy To:

- CHIEF LAND CLAIMS COMMISSION
- NATIONAL MINISTER: DEPARTMENT OF LAND AFFAIRS & AGRICULTURE.



ANNEXURE 'H'

Dear Stakeholder

15 April 2013

Badplaas Lemon Processing Project.

Thank you for the interest you have shown in the project, the IDC has every intention of making a project happen but the Badplaas site has unfortunately presented too many time consuming challenges.

The feasibility study for the Badplaas site has progressed, in that, the soil study, infrastructure study, irrigation water availability study, as well as the modelling for the farm and the processing plant is complete. The Socio economic study was also concluded.

The unfortunate result is that Badplaas, is not a viable site at this stage due to many factors, including disputed land ownership amongst current land owners, lack of legally constituted community representative bodies, on going court cases and arbitration about land ownership and land sales, applications for prospecting permits (for silver and gold) on most of the earmarked properties and a lack of co-operation from the Nkomati Mine, as well as Department of Mineral and Energy Affairs, with regards to environmental monitoring information and possible pollution. It will therefore not be possible to currently develop a 2000 ha project in this area.

The IDC has therefore decided to not pursue the Badplaas site further and to rather look for an alternate site for this project. We trust that efforts to sort out the land ownership, the legality of the Trusts and CPA land ownership bodies will continue to unlock the land in this valley.

Best Regards



Johann Marshall

Senior Specialist

