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**GENERAL NOTICE**

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**GENERAL NOTICE****NOTICE 2980 OF 2009****NOTICE OF EXPROPRIATION OF A TUNNEL SERVITUDE IN RESPECT OF THE GAUTRAIN RAPID RAIL LINK PROJECT BETWEEN PARK STATION (JOHANNESBURG) AND SANDTON STATION**

1. The Member of the Executive Council of the Province of Gauteng (herein referred to as the MEC) responsible for provincial roads and for the public purpose of implementing the Gautrain Rapid Rail Link project between Johannesburg, Pretoria and the O.R Tambo International Airport, hereby expropriates the rights in terms of section 19(1) read with section 23(5) of the Gauteng Transport Infrastructure Act, 2001(Act 8 of 2001)(the Act) described hereunder in respect of the following land:

| Property Description     | Title deed no | Size of property  | Area affected         | Approximate depth of tunnels between |
|--------------------------|---------------|-------------------|-----------------------|--------------------------------------|
| Erf 3481<br>Johannesburg | T6315/1962    | 248m <sup>2</sup> | 110.084m <sup>2</sup> | 44m-64m                              |
| Erf 3482<br>Johannesburg | T6315/1962    | 248m <sup>2</sup> | 230.707m <sup>2</sup> | 44m-64m                              |
| Erf 3483<br>Johannesburg | T6316/1962    | 496m <sup>2</sup> | 15.528m <sup>2</sup>  | 44m- 64m                             |
| Erf 3490<br>Johannesburg | T13663/1987   | 495m <sup>2</sup> | 53.468m <sup>2</sup>  | 44m-64m                              |
| Erf 3649<br>Johannesburg | T151552/1964  | 248m <sup>2</sup> | 128.346m <sup>2</sup> | 47m-67m                              |
| Erf 3650<br>Johannesburg | T55956/1996   | 249m <sup>2</sup> | 237.708m <sup>2</sup> | 47m-67m                              |
| Erf 3651<br>Johannesburg | T55956/1996   | 249m <sup>2</sup> | 495.639m <sup>2</sup> | 47m-67m                              |
| Erf 3748<br>Johannesburg | T53373/1994   | 248m <sup>2</sup> | 245.717m <sup>2</sup> | 50m-70m                              |
| Erf 3750<br>Johannesburg | T31708/1981   | 495m <sup>2</sup> | 225.865m <sup>2</sup> | 50m-70m                              |
| Erf 3898<br>Johannesburg | T34868/1980   | 495m <sup>2</sup> | 111.221m <sup>2</sup> | 49m-69m                              |
| Erf 3901<br>Johannesburg | T4788/1964    | 248m <sup>2</sup> | 142.643m <sup>2</sup> | 49m-69m                              |
| Erf 3902<br>Johannesburg | T4788/1964    | 284m <sup>2</sup> | 20.926m <sup>2</sup>  | 49m-69m                              |
| Erf 4017<br>Johannesburg | T5665/1933    | 600m <sup>2</sup> | 316.587m <sup>2</sup> | 49m-69m                              |
| Erf 4018<br>Johannesburg | T5665/1933    | 433m <sup>2</sup> | 180.450m <sup>2</sup> | 49m-69m                              |
| Erf 4026<br>Johannesburg | SS146/1986    | 815               | 606.104m <sup>2</sup> | 53m-73m                              |
| Erf 4027<br>Johannesburg | T35413/2008   | 495m <sup>2</sup> | 495.658m <sup>2</sup> | 53m-73m                              |

|   |             |                    |                        |         |
|---|-------------|--------------------|------------------------|---------|
| Erf 4098<br>Johannesburg                        | T25034/2002 | 447m               | 438.481m <sup>2</sup>  | 55m-75m |
| Erf 4139<br>Johannesburg                        | T34814/2002 | 824m <sup>2</sup>  | 822.531m <sup>2</sup>  | 75m-95m |
| Erf 4457<br>Johannesburg                        | SS86/1981   | 991m <sup>2</sup>  | 956.698m <sup>2</sup>  | 62m-82m |
| Erf 4643<br>Johannesburg                        | T5684/2005  | 1529m <sup>2</sup> | 1241.244m <sup>2</sup> | 62m-82m |
| Erf 4745<br>Johannesburg                        | Unknown     | 3126m <sup>2</sup> | 411.136m <sup>2</sup>  | 6m-26m  |
| Erf 4953<br>Johannesburg                        | T7511/1992  | 496m <sup>2</sup>  | 495.694m <sup>2</sup>  | 44m-64m |
| Erf 4987<br>Johannesburg                        | T20341/2003 | 4787m <sup>2</sup> | 1241.014m <sup>2</sup> | 49m-69m |
| Erf 5011<br>Johannesburg                        | T5516/1983  | 1193m <sup>2</sup> | 1116.417m <sup>2</sup> | 55m-75m |
| Erf 5134<br>Johannesburg                        | T25712/1984 | 1767m <sup>2</sup> | 1106.100m <sup>2</sup> | 49m-69m |
| Erf 5168<br>Johannesburg                        | T10317/1994 | 1981m <sup>2</sup> | 826.562m <sup>2</sup>  | 50m-70m |
| Erf 5183<br>Johannesburg                        | Unknown     | 495m <sup>2</sup>  | 447.306m <sup>2</sup>  | 49m-69m |
| Erf 5194<br>Johannesburg                        | Unknown     | 991m <sup>2</sup>  | 984.921m <sup>2</sup>  | 51m-71m |
| Erf 5261<br>Johannesburg                        | T1282/1994  | 169m <sup>2</sup>  | 96.222m <sup>2</sup>   | 49m-69  |
| Remaining extent of<br>Erf 4352<br>Johannesburg | G39/1931    | 6.2109ha           | 6506.465m <sup>2</sup> | 33m-53m |
| Remaining extent of<br>Erf 4479<br>Johannesburg | T36811/2000 | 2349m <sup>2</sup> | 1837.090m <sup>2</sup> | 25m-45m |
| Erf 640 Parktown                                | T28231/2008 | 1.13104ha          | 3772.737m <sup>2</sup> | 23m-43m |
| Erf 646 Parktown                                | Unknown     | 3793m <sup>2</sup> | 1192.956m <sup>2</sup> | 7m-27m  |
| Erf 647 Parktown                                | T9891/2006  | 3793m <sup>2</sup> | 1025.525m <sup>2</sup> | 7m-27m  |
| Erf 649 Parktown                                | T73556/2007 | 3938m <sup>2</sup> | 1488.340m <sup>2</sup> | 7m-27m  |
| Erf 917 Parktown                                | T41338/2007 | 1.2394ha           | 3893.127m <sup>2</sup> | 8m-28m  |
| Portion 3 of Erf 28<br>Parktown                 | T3656/1939  | 468m <sup>2</sup>  | 238.921m <sup>2</sup>  | 66m-86m |
| Portion 14 of Erf 613<br>Parktown               | T36648/2001 | 1471m <sup>2</sup> | 344.430m <sup>2</sup>  | 52m-72m |
| Remaining extent of<br>Erf 613 Parktown         | T7988/2004  | 5636m <sup>2</sup> | 1340.420m <sup>2</sup> | 66m-86m |
| Remaining of Erf 642<br>Parktown                | T14313/1966 | 2807m <sup>2</sup> | 707.266m <sup>2</sup>  | 7m-27m  |
| Erf 419 Saxonwold                               | T15785/2004 | 4196m <sup>2</sup> | 798.945m <sup>2</sup>  | 7m-27m  |

|  |              |                    |                         |         |
|--|--------------|--------------------|-------------------------|---------|
| Remaining extent of Erf 506 Saxonwold                  | T14949/1974  | 2299m <sup>2</sup> | 344.932m <sup>2</sup>   | 7m-27m  |
| Portion 1 of Erf 504 Saxonwold                         | T11431/2000  | 2730m <sup>2</sup> | 388.648m <sup>2</sup>   | 7m-27m  |
| Remaining extent of Erf 29 Melrose Estate              | T43711/2000  | 2861m <sup>2</sup> | 471.860m <sup>2</sup>   | 3m-23m  |
| Portion 2 of Erf 230 Melrose                           | T39575/1991  | 1258m <sup>2</sup> | 242.086m <sup>2</sup>   | 11m-31m |
| Portion 754 of the farm Zandfontein 42-IR              | T11860/1967  | 2.0229ha           | 471.846m <sup>2</sup>   | 76m-96m |
| Portion 354 of the farm Syferfontein 51-IR             | T11584/1972  | 1.9898ha           | 1146.771m <sup>2</sup>  | 74m-94m |
| Portion 354 of the farm Syferfontein 51-IR             | T11584/1972  | 1.9898ha           | 453.448m <sup>2</sup>   | 74m-94m |
| Remaining Extent of 128 of the farm Syferfontein 51-IR | T32866/1963  | 7.5623ha           | 10620.415m <sup>2</sup> | 74m-94m |
| Erf 152 Dunkeld  | T9383/2003   | 2974m <sup>2</sup> | 43.792m <sup>2</sup>    | 25m-45  |
| Portion 1 of Erf 212 Dunkeld                           | T52450/1995  | 2677m <sup>2</sup> | 986.519m <sup>2</sup>   | 29m-49m |
| Portion 2 of Erf 113 Inanda Ext. 1                     | T37637/2006  | 492m <sup>2</sup>  | 119.876m <sup>2</sup>   | 68m-88m |
| Portion 50 of Erf 113 Inanda Ext. 1                    | T149932/2004 | 634m <sup>2</sup>  | 51.215m <sup>2</sup>    | 68m-88m |
| Portion 79 of Erf 113 Inanda Ext. 1                    | T61767/1997  | 884m <sup>2</sup>  | 355.095m <sup>2</sup>   | 68m-88m |
| Portion 72 of Erf 113 Inanda Ext. 1                    | T73927/2006  | 432m <sup>2</sup>  | 84.365m <sup>2</sup>    | 68m-88m |
| Portion 5 of Erf 37 Sandhurst                          | T22454/1972  | 2182m <sup>2</sup> | 618.878m <sup>2</sup>   | 52m-72m |
| Portion 5 of Erf 39 Sandhurst                          | T787/2006    | 4069m <sup>2</sup> | 2728.574m <sup>2</sup>  | 59m-79m |
| Portion 10 of Erf 39 Sandhurst                         | T36094/1998  | 4000m <sup>2</sup> | 359.060m <sup>2</sup>   | 59m-79m |
| Portion 5 of Erf 40 Sandhurst                          | T21251/1972  | 676m <sup>2</sup>  | 51.714m <sup>2</sup>    | 67m-87m |
| Portion 7 of Erf 40 Sandhurst                          | T70108/1998  | 4117m <sup>2</sup> | 2651.529m <sup>2</sup>  | 65m-85m |
| Remaining extent of Portion 37 Sandhurst               | T114488/2002 | 8098m <sup>2</sup> | 296.458m <sup>2</sup>   | 55m-75m |

|  |              |                    |                        |         |
|--|--------------|--------------------|------------------------|---------|
| Remaining extent of Portion 2 of Erf 254 Sandhurst (Previously known as Portion 2 of Erf 37) | T129953/2004 | 6357m <sup>2</sup> | 3886.369m <sup>2</sup> | 55m-75m |
| Remaining extent of Portion 3 of Erf 39 Sandhurst  | T158008/2005 | 7255m <sup>2</sup> | 1638.412m <sup>2</sup> | 62m-82m |
| Remaining extent of Portion 4 of Erf 40 Sandhurst  | T25307/2006  | 4002m <sup>2</sup> | 1905.567m <sup>2</sup> | 63m-83m |

2. The rights which are hereby expropriated are the following:

2.1 Servitudes to construct tunnels at minimum varying depths below the surface of the said land within areas as described above, shown on the accompanying sketch plans, and referred to as the servitude areas, for the purpose of accommodating railway lines as defined in section 1 of the Act, subject to the following terms,

2.1.1 The **MEC** shall have the right to tunnel below the surface of the servitude area and to carry out such investigations and tests, including the sinking of boreholes for the purpose of geological investigations, as may be necessary for or in connection with the said tunneling.

2.1.2 The surface of the servitude area may be used by the owner subject to the rights herein expropriated by the **MEC**, but none of the following activities may be conducted on or below the surface of the servitude area without the written permission of the MEC or his delegatee first having been had and obtained and subject to such conditions as the **MEC** or his delegatee may lay down:

- The sinking of boreholes.
- The construction of basements below the surface of the servitude area.
- Piling of foundations of any buildings or structures to be erected on the surface.
- The construction, laying or installation of any pipelines, electrical lines, cables or any structure of whatsoever nature at depths **exceeding three meters below the surface of the servitude area.**
- The use of explosives for any excavation of whatsoever nature below the surface of the servitude area.
- Any excavation of any nature **deeper than three meters below the surface of the servitude area.**

2.2 The right to construct, use and operate a railway line as defined in section 1 of the Act below the surface of the servitude area in the said tunnel and to exercise all such rights and powers in respect of such railway line as are conferred upon the MEC by the Act subject to the observance of all duties set out in the Act with respect to such construction, use and operation.

3. In as much as they may have claims for compensation, land owners concerned are requested in terms of section 26(1) of the Act, to claim the amount for the expropriated rights and how the amounts are made up and full particulars of improvements, which in their opinion, are affected by the expropriation. Section 28 of the Act sets out the basis of compensation to which the land owners are entitled to in consequences of the said expropriation. The address to which the land owners desire that further documents to be sent in connection with the expropriation must be indicated.
4. The MEC may extend the period of 60 days, once only and must do so for a further 60 days if required by the land owner.
5. The land owner's attention are furthermore directed to the provision of section 28(4) (a)(11) of the Act in terms whereof , if they do not comply with the provisions of section 26 of the Act to which their attention have been drawn above , no interest will be payable on any outstanding portion of the compensation payable to them until the date on which they comply with the said section26(1).
6. In terms of section 26(4) of the Act in terms whereof a person who willfully furnishes false or misleading particulars under section of the Act or who fails to comply with the request in terms in terms of section 26(3) thereof commits an offence.
7. Any written statement in terms of section 26(1) of the Act as well as all correspondence must be directed to the following address: Head: Department of Roads and Transport Private Bag X83, Marshalltown 2107, Attention: Deputy Director: Design: Ms N Buitendag or by Fax 011 355 7235

**Reference: 2/1/7/8- Gautrain**  
**Dated: 16 September 2009**





















