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## GENERAL NOTICES

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### NOTICE 1590 OF 2010

WITHDRAWAL OF A NOTICE IN THE PROVINCIAL GAZETTE EXTRAORDINARY IN RESPECT OF A TUNNEL SERVITUDE FOR THE GAUTRAIN RAPID RAIL LINK PROJECT BETWEEN PARK STATION (JOHANNESBURG) AND SANDTON STATION

In terms of section 37(1) of the Gauteng Transport Infrastructure Act, 2001 (Act No 8 of 2001) Notice 1337 of 2010 in the Provincial Gazette Extraordinary, 11 May 2010 No. 80 in the above regard is hereby withdrawn.

Reference: 2/1/7/8-Gautrain

**NOTICE 1591 OF 2010****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 (hereinafter 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 No.8 of 2001) ("the Act") described hereunder in respect of the following land:

PROPERTY DESCRIPTION	TITLE DEED NO.	SIZE OF PROPERTY	AREA AFFECTED	REGISTERED OWNER	APPROXIMATE DEPTH OF TUNNEL VARIES BETWEEN
Erf 4986 Johannesburg	Unknown	Unknown	19m <sup>2</sup>	Unknown	49m-69m
Portion 1 of Erf 641 Parktown	Unknown	Unknown	113m <sup>2</sup>	Unknown	14m-34m
Portion 2 of Erf 308 Houghton Estate	Unknown	Unknown	4m <sup>2</sup>	Unknown	9m-29m
Portion 1 of Erf 10 Riviera	Unknown	Unknown	2074m <sup>2</sup>	Unknown	9m-29m
Portion 8 of Erf 10 Riviera	Unknown	Unknown	982m <sup>2</sup>	Unknown	9m -29m
Portion 3 of Erf 21 Riviera	T75903/2004	3289m <sup>2</sup>	86m <sup>2</sup>	Oxford Trust	9m-29m
Portion 6 of Erf 119 Hyde Park Ext 2	T52709/2007	725m <sup>2</sup>	571m <sup>2</sup>	Gordon Frank Farber	68m-88m
Remaining Extent of Holding 28 Hyde Park Agricultural Settlement	T120463/2000	1,1993ha	2076m <sup>2</sup>	Full output 119 Pty Ltd	68m-88m
Erf 15 Illovo	T81404/1989	3563m <sup>2</sup>	442m <sup>2</sup>	Mr. M.A. Jackson and Ms L M Jackson	75m-95m
Erf 29 Illovo	Unknown	3718m <sup>2</sup>	601m <sup>2</sup>	Unknown	75m-95m

Portion 2 of Erf 453 Illovo	T49618/2008	2478m <sup>2</sup>	590m <sup>2</sup>	Little River Trading 191 Pty Ltd	75m-95m
Remainder of Erf 453 Illovo	T79929/1998	4221m <sup>2</sup>	632m <sup>2</sup>	Erf 453 Illovo Prop Holding Pty Ltd	75m-95m
Portion 1 of Erf 200 Dunkeld	T90325/2002	2945m <sup>2</sup>	88m <sup>2</sup>	Mr. D.A.K. Ahmed and Mr. T.A.A. Akbar	29m-49m
Remaining Extent of Portion 7 of the farm Zandfontein 42-IR	Unknown	6,8390ha	7660m <sup>2</sup>	Unknown	75m-95m
Portion 144 of the farm Zandfontein 42-IR	T28711/1990	8836m <sup>2</sup>	1212m <sup>2</sup>	Nunan Trust	75m-95m

**NOTE: The land affected by the expropriation of the said rights is depicted on the accompanying sketch plans.**

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, 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, for the purpose of geological investigations, as may be necessary for or in connection with the said tunneling.

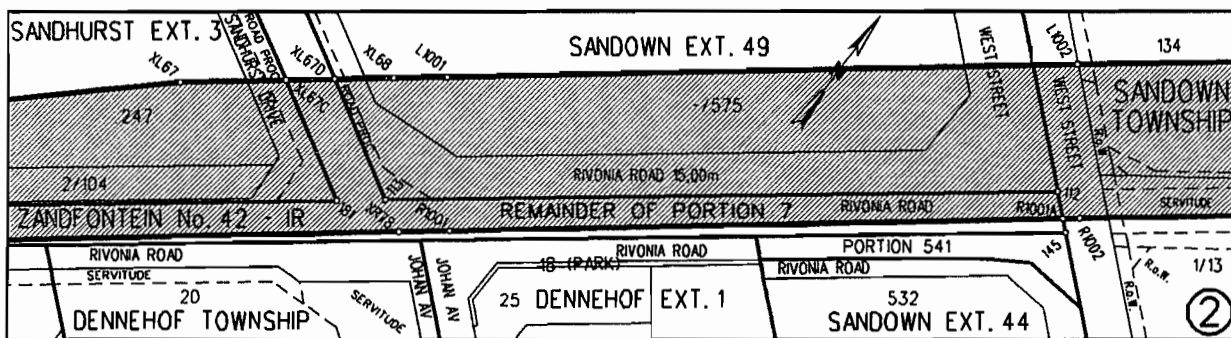
2.1.2. The surface of the servitude area may be used by the owner subject to the rights herein expropriated by the MEC, but none of the following activities may be conducted on or below the surface of the servitude area without the written permission of the MEC or his delegate first having been had and obtained and subject to such conditions as the MEC or his delegate 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. The date of this notice is the date of expropriation.
  4. Inasmuch 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 (1) (b) of the Act sets out the basis of compensation to which the land owners are entitled to in consequence of the said expropriation. The address to which the land owners desire further documents to be sent in connection with the expropriation must be indicated.
  5. 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.
  6. The attention of the land owners' is 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 (1) (b) 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 section 26 (1).
  7. In terms of section 26(4) of the Act, a person who willfully furnishes false or misleading particulars under section 26 of the Act or who fails to comply with a request in terms of the last mentioned section, commits an offence.
  8. 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**





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XR12J	+95332.980	+97975.620	70	+95035.740	+97318.880	3150	+95408.790	+91403.770
XR19	+95045.328	+97279.861	72D	+95608.386	+92639.764	3151	+95433.540	+91442.820
XR19A	+95044.670	+97277.820	73D	+95565.734	+92658.926	3265	+95519.230	+91240.100
XR19B	+95043.400	+97273.890	75D	+95591.539	+92716.367	3266	+95509.600	+91346.370
XR36C	+95187.260	+95240.190	77D	+95634.191	+92697.205	3273	+95401.740	+91367.590
XR37	+95187.333	+95239.774	111	+95205.790	+95301.540	3274	+95387.910	+91245.050
XR38	+95198.552	+95175.668	112	+94223.470	+89115.190	3277	+95390.575	+91311.159
XR38G	+95236.250	+94988.510	113	+94411.680	+89260.580	3278	+95388.583	+91261.736
XR38H	+95237.310	+94983.240	116	+95144.524	+95244.652	3279	+95399.142	+91250.330
XR38J	+95237.710	+94981.270	128	+95107.897	+94994.924	3280	+95518.713	+91245.827
XR53A	+95627.140	+92700.370	132	+95172.179	+95026.429	3307	+95316.444	+91309.690
XR53B	+95624.880	+92676.490	133	+95111.897	+95033.106	3308	+95374.276	+91298.388
XR54	+95624.693	+92674.458	135	+95170.171	+95007.384	3309	+95372.000	+91241.765
XR57P	+95483.920	+91937.830	145	+94212.380	+89125.060	3319	+95313.804	+91244.104
XR57O	+95474.930	+91891.420	171	+95075.566	+95979.911	3327	+95307.558	+90945.028
XR60	+95369.158	+91313.672	172	+95078.488	+95979.597	3328	+95359.988	+90942.921
XR60A	+95367.940	+91299.630	176	+95231.102	+95172.251	3329	+95305.662	+90897.842
XR60B	+95362.970	+91242.130	177	+95252.765	+94979.696	3332	+95325.159	+90765.040
XR62C	+95347.540	+90943.420	181	+94425.233	+89271.174	3333	+95350.884	+90716.429
XR62D	+95345.550	+90896.290	185N	+95337.398	+97976.209	3393	+95496.421	+91935.391
XR63A	+95339.740	+90764.400	186N	+95333.212	+98007.415	3403	+95410.120	+91904.105
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