

NOTICE 1766 OF 2003**CITY OF TSHWANE METROPOLITAN MUNICIPALITY****NOTICE OF EXPROPRIATION - WINTERVELD AGRICULTURAL HOLDINGS**

NOTICE TO EXPROPRIATE caused to be published by City of Tshwane Metropolitan Municipality ("the Municipality") in terms of Section 7 (5) of the Expropriation Act, 1975 (Act 63 of 1975) ("the Act") in respect of the Properties being expropriated ("the Properties"); the date of expropriation ("the Expropriation Date"); the date from which the Municipality will take possession of the Properties ("the Date of Possession"); the amount being offered as Compensation for the expropriated Properties ("Compensation") and the person in whose names the respective Property/ies is registered ("the Owner/s"), which includes the executor in the estate of an Owner deceased, or the trustee in the insolvent estate of an Owner, or if the Owner of the Property is under legal disability his/her legal representative and includes the authorised representative of the Owner in the Republic, as the relevant details, described above, appear in Schedule A to this publication, described opposite the relevant Property and/or Owner's descriptions and which Schedule A forms an integral part of this notice.

AND TAKE NOTICE THAT:

- 1 The Municipality by virtue of the powers vested in it in terms of Section 79 (24) (a) of the Local Government Ordinance, 1939 (Ordinance 17 of 1939) ("the Ordinance"), read with Section 5 of the Act, as amended, hereby expropriates the Properties for public purposes - as described in Schedule A.
- 2 The date/s of expropriation are the dates as described in Schedule A.
- 3 The date/s that the Municipality shall exercise the expropriated rights and take possession of the Properties are as described in Schedule A.
- 4 The amount/s being offered in Compensation in terms of Section 12 (1) (a) and 12 (2) of the Act are the total amounts (Compensation) as described in Schedule A.
- 5 Section 12 (3) (a) (ii) of the Act, read with Section 79 (24) (a) of the said Ordinance stipulates as follows:

"(3) (a) Interest at the standard interest rate determined in terms of section 26 (1) of the Exchequer Act, 1975 (Act 66 of 1975), shall, subject to the provisions of subsection (4), be payable from the date on which the Municipality exercises the rights in question in terms of section 8 (3) or (5) on any outstanding portion of the amount of Compensation payable in accordance with subsection (1)."

provided that:

"(ii) if the owner fails to comply with the provisions of section 9 (1) within the appropriate period referred to in the said section, the amount so payable shall during the period of such failure or for the purpose of the payment of interest be deemed not to be an outstanding amount"