

## NOTICE IN TERMS OF THE PROMOTION OF ADMINISTRATIVE JUSTICE ACT, 2000 (ACT 3 OF 2000) "PAJA" – EXPROPRIATION OF LAND

Notice is hereby given to all affected parties, in particular **ARTHUR HARRISON**, of the anticipated expropriation of the hereinafter described property, which is required by the City of Johannesburg Metropolitan Municipality ("the Municipality") for public purposes, inter alia the establishment of the proposed township of Klipspruit Extension 7, being a power and function of the Municipality in terms of section 156(1)(b), as described Part A of Schedule 4 of the Constitution, 1996 ("the Municipality's functions and powers").

The effected property for which this notice is given is:

**REMAINING EXTENT OF PORTION 17 OF THE FARM KLIPSPRUIT 298**, Registration Division IQ, Province of Gauteng  
Held under Deed of Transfer **T5634/1924**

In extent: **3.7693H**

which property is held in ownership by **ARTHUR HARRISON**

The Municipality wishes to give all effected persons, in particular **ARTHUR HARRISON**, the opportunity to comment, in writing, if deemed necessary to do so by them, by addressing written representations on the principles and effect of the proposed expropriation of the property for the intended purposes described above, to the be addressed to the following address:

The Municipal Manager

**c/o The City of Joburg Property Company (Proprietary) Limited**

**Physical Address**

9<sup>th</sup> Floor, Braamfontein Centre  
23 Jorrisen Street Braamfontein

**Postal Address**

PO Box 31565  
BRAAMFONTEIN  
2017

Reference: **Mrs H M Botes**

The following information is provided, namely:

### 1. The Relevant Legislation

This notice is given in terms of PAJA (Promotion of Administrative Justice Act 3 of 2000), in terms of which the Municipality's decision has been made to follow a **notice and comment procedure** of the proposed act of expropriation, which actions of the Municipality is empowered in terms of Municipality's functions and powers, vested in the Municipality, read with and in terms of:

- 1.1 section 79(24)(a) of the Local Government Ordinance, 17 of 1939; and
- 1.2 section 5 of the Expropriation Act, 63 of 1975; and
- 1.3 section 83(1) of the Municipal Structures Act, 17 of 1998; and
- 1.4 notice 6766 of 2000 (Provincial Gazette Extraordinary) (published under the establishment of the City of Johannesburg Metropolitan Municipality); and
- 1.5 section 26 read with section 156 of the Constitution of the Republic of South Africa, 108 of 1996 ("the Constitution");
- 1.6 section 46 of the National Heritage Resources Act, Act 25 of 1999 ("the empowering legislation").

### 2. Objective

The objective of the expropriation is to obtain the property for public purposes, inter alia the establishment of the proposed township of Klipspruit Extension 7, in terms of the Municipality's functions and powers, in accordance with the empowering legislation, aforesaid.

### 3. Effects

The effects of the expropriation on **ARTHUR HARRISON** will be that:

- 3.1 **ARTHUR HARRISON**, as owner, will be divested of its ownership rights, which will be terminated upon expropriation;
- 3.2 all lessees or other occupants will also be divested of their rights and/or in particular their rights to occupy will be terminated in favour of the Municipality.

### 4. Rights and Review

Should the Municipality decide to expropriate, each and every concerned person will have the right to ask for reasons and the High Court has jurisdiction to review the actions of the Municipality. Once all representations received from effected parties have been considered, then only will the Municipality finally decide whether to expropriate the property or not. Should **ARTHUR HARRISON** and/or other effected parties wish to respond, they are requested to do so and file written responses within 21 (twenty one) calendar days from the date of publication of this notice, which final date for the submission of responses will be the **14th day of March 2011**.

Please take note that this document **is not** an expropriation notice and recipients should therefore not, nor is it intended from them to address matters related to expropriation, *inter alia* the aspect of *compensation*.

**Helen Botes**  
**Managing Director**  
City of Joburg  
Property Company (Pty) Ltd  
PO Box 31565  
Braamfontein 2017

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PROPERTY COMPANY