



PROPERTY AUCTION

9.4581 Hectare Tomato Farm – East London

Packhouse & Multi-Span Tunnels

Pumphouse, Borehole and Holding Reservoir

Current Utilization: Tomato Farming

Portion 3 of Farm No. 767 East London RD

BUSINESS RESCUE AUCTION

Duly Instructed by the Appointed Business Rescue Practitioners of Nottinghill Farm CC in Business Rescue



THIS SALE EXCLUDES ALL MOVABLE ASSETS AND VEHICLES USED TO RUN THE FARM. THIS SALE DOES NOT INCLUDE THE CURRENT HARVEST

Contact for further info:

Tshepo Tlhabanelo

Cell: 079 157 5111

Email: tshepot@wh.co.za

(Candidate Property Practitioner)

Joshua Pelkowitz

Cell: 072 536 5482

Email: joshuap@wh.co.za

(Property Practitioner – Certificate Number
2023332289)

Auction Date:

Wednesday 06 March 2024 @ 12h00

Venue:

LIVE webcast on-line at www.whauctions.com

Viewing:

By Appointment

Video Guide:

<https://www.youtube.com/watch?v=fvxQWhOiBec>

1. GUIDELINE FOR THE AUCTION

BIDDING OPTIONS (ONLY FOR REGISTERED BIDDERS, PLEASE SEE PROCEDURE ATTACHED)

Auction Date & Venue: Wednesday 06 March @ 12h00 via webcast – www.whauctions.com

Registration: Bidders can register at any time prior to auction on www.whauctions.com. Identity and FICA documents are required in order to register for the auction.

All potential buyers are required to pay a registration fee of **R50 000** in order to bid at the auction. This amount can be paid either by bank guaranteed cheque or EFT into the Auctioneer's trust account.

Once registered each buyer will be issued with a buyer's card reflecting a buyer's number. Upon signature of the registration documents, all buyers will have acknowledged and accept the Terms and Conditions as set out in the Rules of Auction.

Registration Fee: R50 000.00 (Refundable to unsuccessful bidders)

Buyer's Premium: 10% (Excl. VAT) of the hammer price

Deposit: 21.5% of hammer price

Confirmation period: 10 business days.

Balance of the purchase price payable within 21 Business Days after confirmation of sale.

The bid price excludes the buyer's premium of **10% (Excl. VAT)** which is payable over and above the purchase price by the highest bidder. The auctioneers have the right to regulate the bidding at the auction. When the auctioneer knocks down the property to the highest bidder the successful bidder will sign the Conditions of Sale on the day.

A deposit of 21.5% is payable on the fall of the hammer. This percentage is made up of the commission payable by the successful bidder of 10% plus VAT (namely, 15%) plus a 10% deposit on the purchase price of the Property. The deposit is payable by way of electronic transfer (EFT) into the WH Auctioneers Properties' Trust account.

For queries regarding the properties on auction contact:

Joshua Pelkowitz: 072 536 5482

WH Auctioneers offices: 011 574 5700

TERMS OF THE SALE

- The properties are sold Voetstoots and NOT SUBJECT TO VACANT OCCUPATION
- PURCHASER'S commission of 10% plus VAT over and above the bid price
- 21.5% deposit payable by Purchaser on fall of the hammer.
- Offers are non-suspensive and not subject to alteration on pre-approved conditions.
- Offers are on a cash-basis and not subject to finance.
- Purchaser responsible for the Electrical, Plumbing, Gas and Borer Beetle Certificates where applicable
- **THIS SALE EXCLUDES ALL MOVABLE ASSETS AND VEHICLES USED TO RUN THE FARM. THIS SALE DOES NOT INCLUDE THE CURRENT HARVEST**

The way auctions should be.

WH AUCTIONEERS PROPERTIES (PTY) LTD.
Company Registration Nr.: 2012/202070/07 • VAT Nr.: 4310269388
Directors: S. Winterstein, P. Narainsamy, N. Hunsraj

578 16TH ROAD, RANDJES PARK, MIDRAND, 1685 • PO BOX 557, KELVIN, 2054
TEL: 011-5745700 • EMAIL: INFO@WH.CO.ZA
WWW.WHAUCTIONS.COM

**All Farm Outlines are
Estimates based on
Diagrams and Information
Received from the Sellers**

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2. GENERAL

Property Address(co-ordinates): [-32.915734, 27.995381](#)

Erf & Suburb & City: Portion 3 of Farm No. 767 East London RD, Eastern Cape

3. TITLE DEED INFORMATION

Deeds Office: King Williams Town

Title Deed Number: T2400/2001

Erf Size: 94,581m² (9.4581ha)

Zoning: Agricultural

4. LOCALITY

The subject property is situated in an area of undulation on most of the farm, above the Gonubie River within the East London District. There is a small stream found on the subject property, but with no named water courses on the subject property. Altitude varies from around 52 m on the north-eastern boundary corner to about 85 m at the high point on the south-western boundary corner. Generally the subject property slopes down from the south towards the north.



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5. DESCRIPTION OF IMPROVEMENTS

The subject farm consists of one portion of land developed and farmed for hydroponic vegetables with multi-span tunnels for growing tomatoes. There is also an on-site packhouse with cold rooms and office, for packaging and storing produce. The farm has 15,808m² of tunnels and multispan (approximately 56 tunnels) of which around 4,032m² is damaged and currently not in use. The remainder of the farm comprises natural vegetation and wasteland (Road & dams). The farm offers further improvements in the form of a packhouse with offices and staff facilities, a pumphouse and flatlet.

Improvements can be broken down as follows:

- Packhouse with Cold Rooms, Office, Canteen, Ablution and Storage (1 050m² under roof)
- Pumphouse
- Argus automated fertigation system for fertilizing and irrigation with Carbon filters (Micro/Drip line)
- Full irrigation lines installed in all the tunnels.
- 68m² 1bed, 1bath flat on top of pump house
- 4 sets of Multispan Tunnels (one not operational)
- Concrete reservoir (mainly rainwater)
- Storage dam
- Borehole that supports sufficient water for current use
- 3 phase power supply

Packhouse Structure:

- Steel frame, ISO Panels, Concrete flooring, and IBR roofing

Multispan/Tunnel Structure:

- Steel structure and with AV Netting (Anti-Virus)

Pumphouse Structure:

- Brick structure and thatch roofing

Site Access and Security:

Main access is gained via Lock Street by which is reachable via the R102 road leading into Schafl road. The property is fenced, and the fence is in poor condition.

Electricity

Electricity is provided for by means of one Eskom transformer which provides 3-phase electricity to the farm.

Harvest and Cultivars

The farm currently cultivates tomatoes. Current crops grown on site include Normal Tomatoes (RENKA) and Speciality Tomatoes (TINKER). The farm currently supplies 80% of it's harvested produce to **Pick 'n Pay**. **THIS SALE DOES NOT INCLUDE THE CURRENT HARVEST**

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Water Use/Water Rights

The farm has **no registered water** entitlement registered to it and relies on water from a borehole to irrigate the tomatoes. The current farm owners have a standing verbal agreement with the neighbour, Mr Donald Kruger for water usage from his dam as well as access to the Kwelera river bordering his property. The agreement involves the owner of the farm covering the cost of the ESKOM station at the neighbours dam and maintenance of fencing and pipeline monthly, as payment for water usage is not permitted. The sellers currently have approximately **15 million litres of water available per annum**. The farm is equipped with a high-tech Argus Automated Fertigation and Irrigation System and utilises **micro drip irrigation** to irrigate the crop.

CLIMATIC CONDITIONS

East London normally receives about 822mm of rain per year, with most rainfall occurring mainly during late summer and early autumn. East London receives the lowest rainfall (36mm) in June and the highest (97mm) in March. The monthly distribution of average daily maximum temperatures shows that the average midday temperatures for East London range from 20.3°C in September to 24.8°C in February. The region is the coldest during July when the mercury drops to 9.6°C on average during the night.

Climatic Conditions					
Temperature (degrees Celsius)		Average Annual Rainfall Per Annum	Hail Occurrence	Frost	Wind
Summer	Winter				
16.8 to 24.87	9.6 to 20.7	822 mm	Mild	Mild	Severe

GENERAL WATER SUPPLY

The water is obtained from a borehole, the owner stated that there is adequate water for the irrigation activities taking place on the farm. Though they tried to expand the operation, but had insufficient water for the now damaged tunnels.

*Note: The owners were not able to supply any indication from the Dept. of Water and Sanitation that the water used for irrigation on the subject property is legal. However due to the small size of the greenhouses and fact that they have been in operation for approx. 20 years, there does appear to be sufficient water for the current operation.

Boreholes Equipped	1
Boreholes Not Equipped	0
Pump Types	1 Submersible

WATER USE ENTITLEMENT

Water Supply Details

Source								
Cert. No.	Date		Number & Portion	Ha/Ann.	Capacity M³/Ann.	Source Type	Source Name	Registration
			767 (3)	1.2	5,888	Borehole	Unnamed	No verification has been supplied by the owner of the subject property.
Total				1.2	5,888	Water entitlement for irrigation purposes		

IRRIGATION

Irrigation Requirements						
Crop			Requirement (MM/Ha/Ann.)	Irrigation System	Total (M³/Ann.)	
Tomatoes / Peppers		1.2	500	Drip	5,888	
Total					5,888	
Potential Irrigation			Surplus / (Shortage)			(5,888)

SOILS/TOPOGRAPHY

The area is geologically complex and includes Beaufort Group mudstone and sandstone in the northeast, Nanaga Formation arenite and sand in the west and Bokkeveld, Witteberg and Eccia sandstone and shale in between, and a thin strip of Quaternary sand along the coast. The pure grasslands are limited to the Nanaga and Quaternary sands, whereas thornveld is prominent on the more finely textured soils derived from the Beaufort and Bokkeveld mudstone, arenite and shale. The most important land types include Db, Fa and Ae. The area falls within the PL2 land type of reddish soils with a medium base status.

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Condition:

The improvements in general were found to be in a fair state of repair in general, requiring only ongoing routine maintenance. The structures in general are in a fair state requiring routine maintenance. One of the tunnels is damaged with no covering, only the structure is in place and need to be repaired. Approximately 4,032m² of the tunnels is damaged and currently not in use.

Disclaimer

A structural survey of the building has not been undertaken and will not form part of this report. All structural and maintenance information are as per information provided by the owners upon visiting the site. We have not received nor had site of building plans. Neither the Seller nor the Auctioneer warrant the availability of any buildings plans and the property is not being sold subject to the provision of such plans. All information in regard to water rights and the documents provided herein are to the best of the Sellers knowledge correct. Neither the seller nor the auctioneer take any responsibility for errors or omissions in the documents received from the department of water.

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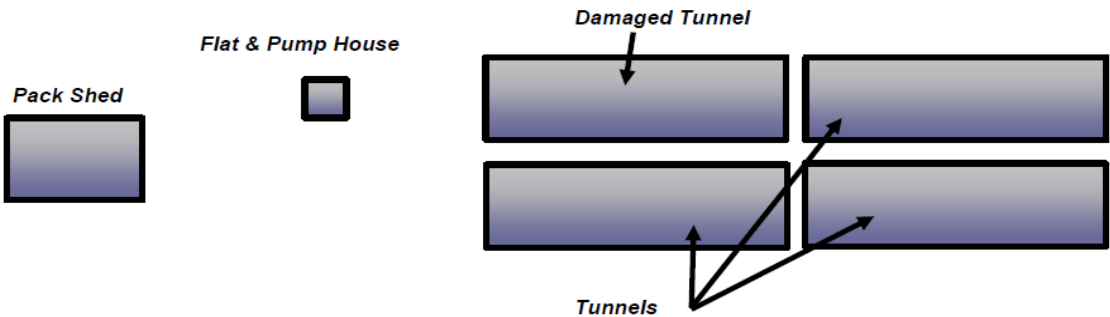
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6. FARM LAYOUT



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7. SITE PHOTOGRAPHS



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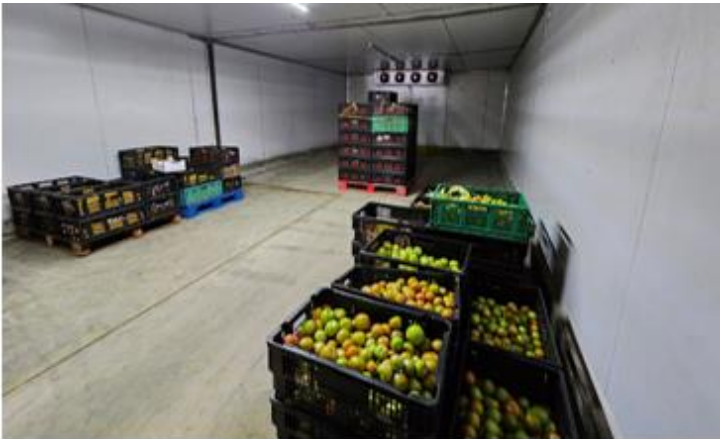
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8. MUNICIPAL ACCOUNTS

charlises@wh.co.za



BUFFALO CITY
METROPOLITAN MUNICIPALITY

Your invoice is encrypted in order to comply with
SARS requirements that invoices and statements
sent electronically are tamperproof

PO Box 522, East London, 5209
043 705 2000
043 722 0860
www.buffalocity.gov.za
billing@buffalocity.gov.za
Customer Call Centre: 086 111 3017

TAX INVOICE	
BCMM VAT Registration No.	4240193492
Account Number	10218020
Customer VAT Reg. No.	1
Statement Date	27/01/2024

NOTTINGHILL FARM CC
12 LYNTON ROAD
SUNNYRIDGE
5201

Name	NOTTINGHILL FARM CC		
Ward Number	29	Deposit	Guarantee
Physical Address	3 FARM 767 PTN 3	Suburb	BEACON BAY
Erf no.	FME00767	Portion	00003
Unit No.	020001FME007670000300000000	Area	94581
Market Value	R2890000.00	Rebate	R0.00
Debtor Address	FME00767/3	Rateable Value	R2890000.00

Date	Service	Details	Charge (excl VAT)	VAT	Charge (incl VAT)
22/12/23	 	BALANCE BROUGHT FORWARD	R 3216.59	R 189.16	R 3405.75
		SUB TOTAL	R 3405.75		R 3405.75
26/01/24		INTEREST ON ARREARS	R 29.44		R 29.44
26/01/24		FIRE LEVY SMALL BUSINESS	R 117.39	R 17.61	R 135.00
26/01/24		AGRICULTURAL	R 856.08		R 856.08
26/01/24		VA-PENS-DISCOUNT	R -642.06		R -642.06
27/12/23		INTEREST CYCLE 1 DEC 2023 SUFI	R 10.90		R 10.90
27/12/23		INTEREST CYCLE 1 DEC 2023 VSML	R 15.02		R 15.02
		TOTAL CURRENT LEVY 404.38			

ELECTRICITY	WATER	DEBT COLLECTION ACTION
		The supply of services may be discontinued if any amount is unpaid after the due date and the deposit may be reviewed simultaneously. Please note that the due date does not apply to overdue balances.

REMITTANCE ADVICE		
	Due Date	15/02/2024
	Amount Due	R3810.13
	Account Number	10218020
Reference Number	>>>>> 9 1611 1021 8020 8	

DIRECT DEPOSIT / ATM / INTERNET	
Bank	STANDARD BANK
Branch No.	051001
Bank Account No.	081167016
Your Municipal A/C No.	10218020

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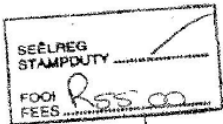
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9. TITLE DEED



Prepared by

CONVEYANCER
VOCKERODT, SL

SMITH TABATA LOON & CONNELLAN
ATTORNEYS, NOTARIES & CONVEYANCERS
EAST LONDON

DEED OF TRANSFER

002400/2001

BE IT HEREBY MADE KNOWN

THAT

BRIAN HENRY VON DER DECKEN

Appeared before me, REGISTRAR OF DEEDS, at KING WILLIAM'S TOWN he, the said
Apparar, being duly authorised thereto by a Power of Attorney executed at EAST LONDON on
the 10th May 2001, granted to him by

SHERIFF OF THE MAGISTRATE'S COURT FOR THE DISTRICT OF EAST LONDON

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AUCTIONEERS

The way auctions should be.

2

AND the Appearer declared that whereas in the matter wherein EAST LONDON TRANSITIONAL LOCAL COUNCIL was Plaintiff and MARIE THERESE ROLANDE LISE FLAVIO (Identity Number 310120 0004 10 2) Married out of Community of Property, was Defendant, the hereinafter mentioned property registered in the name of the said MARIE THERESE ROLANDE LISE FLAVIO was by virtue of a writ issued out of the Magistrate's Court for the District of East London attached by the Sheriff of the Court and sold by public auction on the 23rd March 2001 to the undermentioned transferee

NOW THEREFORE the said Appearer in his capacity aforesaid did by these Presents cede and transfer in full and free property to and on behalf of

NOTTINGHILL FARM CC
OK 2001/024039/23

IT'S successors-in-title or assigns

PORTION 3 OF FARM NO. 767
Local Municipality of Buffalo City
Division of East London
Eastern Cape Province

In Extent: 9,4581 (Nine comma four five eight one) Hectares

FIRST TRANSFERRED by Deed of Transfer No. 259/1956 with Diagram relating thereto and held by Deed of Transfer No. T 6200/1997

- A. SUBJECT to the conditions referred to in Deed of Transfer No. 708/1968, save in so far as these may have since lapsed or been cancelled.
- B. SUBJECT to the condition created in Deed of Grant ELQ 16/65, reading:

That all rights to gold, silver and precious stones found or discovered at any time on or in the said land shall be reserved to the Crown, together with a right of ingress to and egress from any mines or works undertaken for mining or prospecting purposes by any person or persons authorised by the Commissioner, but subject always to the provisions of Act No. 44 of 1887 or any other Act to be hereafter passed with regard to prospecting and mining for precious stones and minerals.

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WHEREFORE, the Appearer q.q. renouncing all the right and title the said

MARIE THERESE ROLANDE LISE FLAVIO

Heretofore had to the Premises did, in consequence also acknowledge her to be entirely
dispossessed of and disentitled to the same, and that by virtue of these Presents, the said

NOTTINGHILL FARM CC

IT'S Successors-in-title or Assigns, now is and henceforth shall be entitled thereto, conformably
to local custom, the State, however reserving its rights and finally acknowledging the purchase
price of the property to be the sum of R52 000,00 (fifty two thousand rand). Transfer duty was
also calculated on: R1286,50 (One thousand two hundred and eighty six rand and fifty cents) in
respect of advertising costs; R2462,40 (Two thousand four hundred and sixty two rand and forty
cents) in respect of commission; R2071,50 (Two thousand and seventy one rand and fifty cents)
in respect of arrear taxes.

IN WITNESS WHEREOF I, the said Registrar, together with the Appearer have subscribed to
these presents and have caused the Seal of Office to be affixed thereto.

THUS DONE AND EXECUTED at the Office of the Registrar of Deeds at KING WILLIAM'S
TOWN on

23 MAY 2021

In my presence

REGISTRAR OF DEEDS

q.q.

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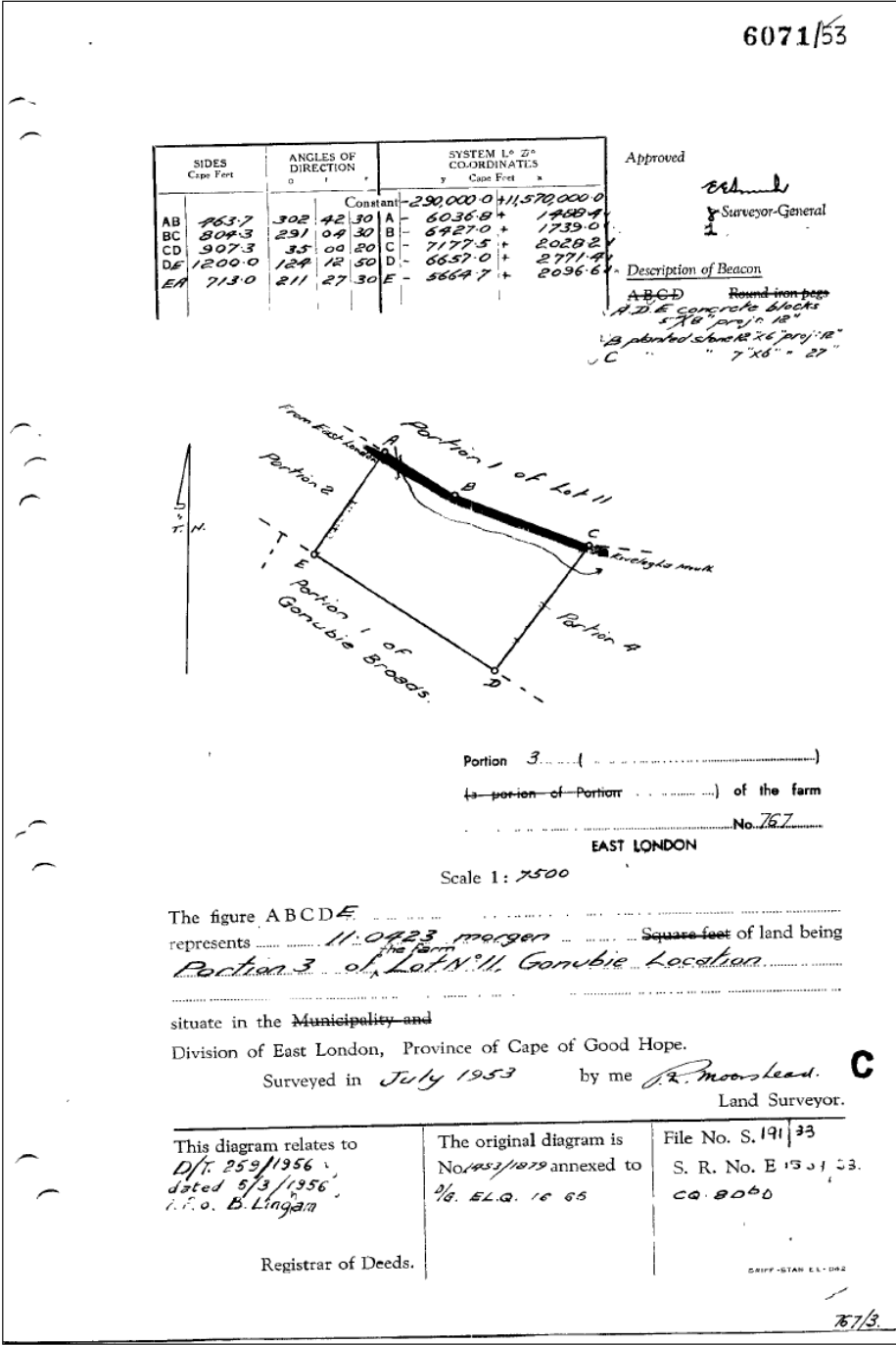
The way auctions should be.

WH AUCTIONEERS PROPERTIES (PTY) LTD.
Company Registration Nr.: 2012/202070/07 • VAT Nr.: 4310269388
Directors: S. Winterstein, P. Narainsamy, N. Hunsraj

578 16TH ROAD, RANDJES PARK, MIDRAND, 1685 • PO BOX 557, KELVIN, 2054
TEL: 011-5745700 • EMAIL: INFO@WH.CO.ZA
WWW.WHAUCTIONS.COM

The auction is conducted in terms of the Regulations relating to auctions contained in The Consumer Protection Act 68 of 2008 and notice is given that all
sales are subject to a minimum reserve unless otherwise stated. Descriptions mentioned herein are not guaranteed by the auctioneers and are as supplied.
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10. SG DIAGRAM



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Property Condition Report in terms of The Property Practitioners Act 22 of 2019

	YES	NO	N / A
I am aware of the defects in the roof.	X		
I am aware of the defects in the electrical systems.		X	
I am aware of the defects in the plumbing system, including in the swimming pool.		X	
I am aware of the defects in the heating and air conditioning systems, including the air filters and humidifiers.		X	
I am aware of the defects in the septic or other sanitary disposal systems.		X	
I am aware of any defects to the property and/or in the basement or foundations of the property, including cracks, seepage and bugles. Other such defects include, but are not limited to, flooding, dampness or wet walls and unsafe concentrations of mould or defects in drain tiling or sump pump.		X	
I am aware of structural defects in the Property.		X	
I am aware of boundary line dispute, encroachments or encumbrances in connection with the Property.		X	
I am aware that remodelling and refurbishment have affected the structure of the Property.		X	
I am aware that any additions or improvements made to or any erections made on the property, have been done or were made, only after the required consents, permissions and permits to do so were properly obtained.		X	
I am aware that a structure on the Property has been earmarked as a historic structure or heritage site.		X	

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ADDITIONAL INFORMATION			
Condition The improvements in general were found to be in a fair state of repair in general, requiring only ongoing routine maintenance. The structures in general are in a fair state requiring routine maintenance. One of the tunnels is damaged with no covering, only the structure is in place and need to be repaired. Approximately 4,032m ² of the tunnels is damaged and currently not in use.			

Signed on Behalf of the Seller on _____ 2024

Signed on Behalf of the Auctioneer on _____ 2024

Signed on Behalf of Purchaser on _____ 2024

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