

IN THE CONSTITUTIONAL COURT OF SOUTH AFRICA

CCT CASE NO: 69/11

In the matter between:-

THE OCCUPIERS OF PORTION 124 AND 150

Applicants

OF THE FARM ZANDFONTEIN

and

BROOKWAY PROPERTY 30 (PTY) LTD

First Respondent

THE CITY OF TSHWANE

Second Respondent

AFFIDAVIT

I, the undersigned,

JOHAN VAN WYK

declare under oath and state as follows:

1.

I am an adult male attorney employed by the applicants' attorneys of record.

2.

Save where the contrary appears from the context, the facts contained in this affidavit are within my personal knowledge and are to the best of my knowledge and belief both true and correct.

3.

I depose to this affidavit in response to the Directions issued by the above Honourable Court on 2 November 2011.

4.

The applicants take note of the situation in which the First Respondent finds itself in and do not object to the removal of the matter from the roll of Wednesday, 9 November 2011 and the re-enrolment thereof on Tuesday, 6 March 2012.

Thus sworn and signed at Pretoria on this _____ day of November 2011.

DEPONENT

I confirm that the deponent acknowledged that he is familiar with, and understands the content of the affidavit. This affidavit was sworn in my presence

after the deponent indicated that he had no objection against taking the prescribed oath and considered the oath as binding on his conscience. The deponent confirmed and signed the affidavit in my presence. There has been compliance with the requirements of the Regulations contained in Government Gazette R1258 dated 21 July 1972 (as amended).

Thus dated and signed at Pretoria on this _____ day of November 2011.

COMMISSIONER OF OATHS

FULL NAMES:

POSITION:

ADDRESS:

AREA: