

# Cape Horizon Properties (Pty) Ltd

Registration number: 2009/013049/07

Head Office: Office 95 & 95A, Forest Hill City, 6922 Forest Beech Street, Monavoni, Centurion, 0157

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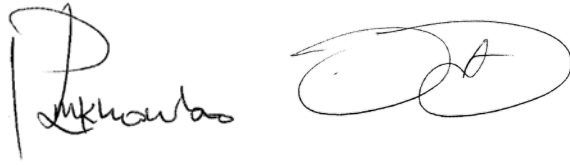
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17 March 2023

## RE: CAPE HORIZON PROPERTIES PROPRIETARY LIMITED (IN BUSINESS RESCUE) ("THE COMPANY")

1. In terms of section 143(2) of the Companies Act, 71 of 2008 ("**Companies Act**"), the business rescue practitioners ("**BRPs**") hereby propose an agreement with the Company providing for further remuneration upon the adoption of the business rescue plan as follows:
  - 1.1 An increase in respect of the prescribed tariff rates as set out in Regulation 128 of the Companies Act since its promulgation in 2011 from the prescribed hourly rate of R1 740.00 (exclusive of VAT) to R4 000.00 per hour (exclusive of VAT) in respect of both Phahlani Mkhombo and Jacques du Toit.
  - 1.2 The aforesaid increase will be retrospective from the Commencement Date, being 15 November 2022, until the Substantial Implementation Date.
2. It should be recognised that the hourly rate prescribed by the tariff in the regulations is not market related and is outdated as it was determined in or about 2011. The current market related hourly rate is between R3 500.00 and R6 000.00 exclusive of VAT.
3. A success fee may become payable in respect of a sale of Secured Property such fee will be agreed between the BRPs and the relevant secured Creditor and will be paid by the Secured Creditor.
4. Please indicate your acceptance of the above proposed agreement by having this letter countersigned in the space provided for below.
5. Upon signature by the Company below, this letter will constitute the written agreement between the Company and the business rescue practitioners in respect of section 143(2) of the Companies Act.
6. This agreement will become final and binding on the Company upon approval, as contemplated in section 143(3) of the Companies Act.

Yours faithfully

Two handwritten signatures are shown side-by-side. The signature on the left is 'Phahlani Mkhombo' and the signature on the right is 'Jacques du Toit'.

Phahlani Mkhombo and Jacques du Toit  
Joint Business Rescue Practitioners  
Cape Horizon Properties (Pty) Ltd (In Business Rescue)

I, the undersigned, Otis Ndora Tshabalala, do hereby agree on behalf of the Company to the proposed agreement for an increase in the business rescue practitioner's remuneration as provided for in paragraph 1 of this agreement.

Signed:

A handwritten signature is written over a horizontal line.

Name: Otis Ndora Tshabalala

Designation: Chief Executive Officer

Date: 17 March 2023