

PAUL D KRUGER CONSULTING CC/BK

Suite 2,
892 Meyer Street/Meyerstraat 892
Rietfontein, 0084
PO Box / Posbus 2232, Pretoria, 0001
Docex 228, Pretoria
Tel: 012 330 0604
Faks : 012 3313647 / 012 330 3773
E-Pos : pdkruger@bureautrust.co.za

VAT/BTW No : 4430175549
Reg No : 98/05163/23

Lid/Member:
Paul Daneel Kruger (082 573 4479)

Ons verw: Jan Venter
U verw:

28/03/2007

PER GEREGISTREERDE POS
PER REGISTERED POST

OMSENDISKRYWE AAN ALLE
BEKENDE SKULDEISERS
CIRCULAR TO ALL KNOWN
CREDITORS

Menere

Dear Sirs

INSOLVENTE BOEDEL: J H VAN REENEN

MEESTERSVERW: T1439/06

Kennis geskied hiermee dat die Tweede Vergadering van Skuldeisers gehou sal word voor die **LANDROS** te **PRETORIA-NOORD** Op 19 APRIL 2007 om 9H00.

Aangeheg vind asseblief die volgende:

1. Aanhangsel "A" : Afskrif van die Kurator verslag.
2. Aanhangsel "B" : Afskrif van Voorgestelde Besluite.

INSOLVENT ESTATE: J H VAN REENEN

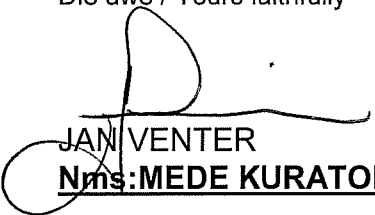
MASTERS REFERENCE: T1439/06

Notice is hereby given that the Second Meeting of Creditors will be held before the **MAGISTRATE** at **PRETORIA-NORTH** on **19 APRIL 2007** at **9H00**.

Attached hereto please find the following:

1. Annexure "A" : Copy of the Trustee's Report.
2. Annexure "B" : Copy of Proposed Resolutions.

Die uwe / Yours faithfully



JAN VENTER

Nms: MEDE KURATORS / For: JOINT TRUSTEES

INSOLVENTE BOEDEL: JHUAN HERSELMEN VAN REENEN

WOONAGTE TE: 55 TIVOLI BERGLAAN PRETORIA-NOORD

ID NR.: 760128 5048 081

MEESTERS VERW.: T1439/06

KURATORS VERSLAG

INGEDIEN DEUR:

PAUL D KRUGER
LDR VAN DER MERWE
SAG KHAMISSA
KURATORS

PAUL D KRUGER CONSULTING BK
SUITE 2
MEYERSTRAAT 892
RIETFontein
PRETORIA
0084

INSOLVENT ESTATE: JHUAN HERSELMAN VAN REENEN

RESIDING AT: 55 TIVOLI BERG AVENUE PRETORIA-NORTH

ID. NR. 760128 5084 081

MASTERS REF.: T1439/06

TRUSTEES REPORT

LODGED BY:

PAUL D KRUGER
LDR VAN DER MERWE
SAG KHAMISSA
TRUSTEES

PAUL D KRUGER CONSULTING CC
SUITE 2
892, MEYER STREET
RIETFontein
PRETORIA
0084

AANHANGSEL "A"

INSOLVENTE BOEDEL: JHUAH HERSELMAN VAN REENEN
ID NOMMER: 760128 5084 081
WOONAGTIG TE: 55 TIVOLI BERGLAAN PRETORIA-NOORD
MEESTERSVERWYSING: T1439/06

KURATOR SE VERSLAG OOREENKOMSTIG DIE BEPALING VAN ARTIKEL 81 VAN DIE INSOLVENSIEWET NO 24 VAN 1936, SOOS GEWYSIG, OM VOORGELê TE WORD OP DIE TWEEDE VERGADERING VAN SKULDEISERS, WAT GEHOUSAL WORD VOOR DIE LANDDROS TE PRETOPIA-NOORD, OP 19 APRIL 2007 OM 9:00

INLEIDING

Die boedel van JH VAN REENEN is gesekwestreer deur 'n Bevel van die Hooggeregshof van Suid-Afrika (Transvaalse Provinsiale Afdeling) op 13 September 2006.

Die Meester van die Hooggeregshof het PD Kruger en SAG Khamissa op 11 Januarie 2007 aangestel as Mede Voorlopige Kurator en tydens die Eerste Vergadering van Krediteure gehou voor die Landdros te Pretoria-noord op 08 Maart 2007 is ons benoem as Mede Kurators saam met LDR van der Merwe.

VERSLAG

Ons doen nou hiermee volledig verslag, soos van ons vereis word deur die bepalings van Artikel 81 van die Insolvensiewet 1936, soos gewysig.

ARTIKEL 81(1)(a): BATES EN LASTE VAN DIE BOEDEL

Die Insolvent het nie die nodige vermoëstaat, soos vereis deur die bepalings van Artikel 16(2) van die Wet, ingedien nie en maar volgens ons ondersoek blyk die bates en laste soos volg te wees:-

ANNEXURE "A"

INSOLVENT ESTATE: JHUAH HERSELMAN VAN REENEN
ID NUMBER: 760128 5048 081
RESIDING AT: 55 TIVOLI BERG AVENUE PRETORIA-NORTH
MASTER'S REFERENCE: T1439/06

REPORT OF THE TRUSTEE IN TERMS OF THE PROVISIONS OF SECTION 81 OF THE INSOLVENCY ACT NO. 24 OF 1936, AS AMENDED, TO BE SUBMITTED TO THE SECOND MEETING OF CREDITORS TO BE HELD BEFORE THE MAGISTRATE PRETORIA-NORTH ON 19 APRIL 2007 AT 9:00

INTRODUCTION

The estate of JH VAN REENEN was sequestered on 13 September 2006 in terms of an Order of the Supreme Court of South Africa (Transvaal Provincial Division).

The Master of the Supreme Court appointed PD Kruger and SAG Khamissa as Joint Provisional Trustees on 11 January 2007 and at the First Meeting of Creditors held before the Magistrate at Pretoria-north on 08 March 2007 we were appointed Joint Trustees together with LDR van der Merwe

REPORT

I now report more fully in terms of the provisions of Section 81 of the Insolvency Act 1936, as amended.

SECTION 81(1)(a): ASSETS AND LIABILITIES OF THE ESTATE

The Insolvent did not submit the required Statement of Affairs in terms of Section 16(2) of the Act, but according to our investigation the assets and liabilities appear to be as follows:-

<u>BATES</u>		<u>ASSETS</u>	
1.	<u>BESWAARDE ONROERENDE BATES</u> 1.1 Eenheid 23 van Ilsepark SS3 /1994 (Onderewig aan 'n Eerst Verband soos per kontra)	1.	<u>ENCUMBERED IMMOVABLE ASSETS</u> 1.1 Unit 23 of Ilsepark SS3/1994 (Subject to a First Mortgage Bond as per contra)
	R 390,000.00		R 390,000.00
2.	<u>BESWAARDE ROERENDE BATES</u> 2.1 2002 Yamaha YFS200 (Onderhewig aan 'n AVO soos per kontra)	2.	<u>ENCUMBERED MOVABLE ASSETS</u> 2.1 2002 Yamaha YFS200 (Subject to a Instalment Sale as per contra)
	R 15,000.00		R 15,000.00
3.	<u>ONBESWAARDE ROERENDE BATES</u> 3.1 Huishoudelike meubels & toebehore	3.	<u>UNENCUMBERED MOVABLE ASSETS</u> House Hold Furniture & Appliances
	R 25,000.00		R 25,000.00
	R 23,055.00		R 23,055.00
	<u>KLAARBLYKLIKE TEKORT</u>		<u>APPARENT SHORTFALL</u>
	<u>TOTAAL</u>		<u>TOTAL</u>
	R 453,055.00		R 453,055.00
4.	<u>VERSEKERDE SKULDEISERS</u> 4.1 Eerste Nasionale Bank (Eerste Verband oor Eenheid 23)	4.	<u>LIABILITIES</u> <u>SECURED CREDITORS</u> 4.1 First National Bank (First Bond over Unit 23)
	4.2 Wesbank (AVO oor Yamaha)		4.2 Wesbank (Installment Sale over Yamaha)
	R 279,035.00		R 279,035.00
	R 19,020.00		R 19,020.00
5.	<u>PREFERENTE SKULDEISERS</u> Geen sover bekend	5.	<u>PREFERENT CREDITORS</u> None known thus far
6.	<u>KONKURRENTE SKULDEISERS</u> Ongeveer	6.	<u>CONCURRENT CREDITORS</u> Known thus far
	R 155,000.00		R 155,000.00
	<u>TOTAAL</u>		<u>TOTAL</u>
	R 453,055.00		R 435,055.00

AANTEKENINGE

Na afloop van die vergadering sal die bates gerialiseer word.

ARTIKEL 81(1)(b): OORSAAK VAN DIE SKULDENAAR SE INSOLVENSIE

Sonder die vermoëstaat waarna hierbo verwys word, kan ons nie hier kommentaar lewer nie.

COMMENTS

After the meeting the assets will be sold by public auction.

SECTION 81(1)(b): CAUSES OF THE DEBTOR'S INSOLVENCY

Without the Statement of Affairs referred to above, we cannot comment on this matter.

ARTIKEL 81(1)(c): BOEKE EN REKORDS

Die Insolvent het alle boeke en rekords aan my oorhandig wat redelikenwys van verwag kon word ten opsigte van sy/haar handelinge.

ARTIKEL 81(1)(d): OORTREDINGS

Ons ondersoek dui daarop dat die Insolvent na die beste van my wete en kennis, geen oortreding van die Insolvensiewet, of ander wetgewing, gepleeg het nie behalwe dat hy nie 'n vermoëstaats ingedien het nie.

ARTIKEL 81(1)(e): TOELAE AAN DIE INSOLVENT

Geen toelae is aan die Insolvent kragtens Artikel 79 van die Wet toegestaan nie.

ARTIKEL 81(1)(f): VOORTSETTING VAN BESIGHEID

Geen besigheid is namens die Insolvent gedryf nie.

ARTIKEL 81(1)(g): REGSGEDINGE

Ons dra geen kennis van enige gedinge deur of teen die Insolvent ingestel wat deur die sekwestrasie van sy boedel opgeskort is of wat teen die boedel aanhangig is of dreig nie, bo en behalwe siviele gedinge ingestel deur Krediteure vir die verhaal van bedrae aan hulle verskuldig.

ARTIKEL 81(1)(h): AANGELEENTHEDE VERMELD IN ARTIKELS 35 EN 37

Ons is nie bewus van enige kontrak wat die Insolvent voor die sekwestrasie van sy/haar boedel aangegaan het vir die verkryging van onroerende goed wat nog nie op datum van sekwestrasie van sy boedel aan hom/haar getranspoteer was nie.

ARTIKEL 81(1)(i): AANGELEENTHEDE AANGAANDE DIE BEHEER EN/OF DIE TEGELDE MAKING VAN DIE BOEDEL

Volgens die inligting tans tot my beskikking blyk hier nie 'n gevaar te wees

SECTION 81(1)(c): BOOKS AND RECORDS

The insolvent submitted all books and records which can be expected in the normal course of his/her actions.

SECTION 81(1)(d): OFFENCES

According to my investigation it appears to the best of my knowledge that the insolvent has not contravened this Act or to have committed any other offence except for the fact that he did not lodge a Statement of Affairs.

SECTION 81(1)(e): ALLOWANCE TO THE INSOLVENT

No allowance has been made to the Insolvent in terms of Section 79 of the Act.

SECTION 81(1)(f): CARRYING ON OF BUSINESS

No business has been carried on behalf of the estate.

SECTION 81(1)(g): LEGAL PROCEEDINGS

We have no knowledge of any proceedings instituted by or against the Insolvent suspended by the sequestration of the estate or which may be pending or threatening against the estate, except legal proceedings instituted by Creditors for the collection of debts.

SECTION 81(1)(h): MATTERS MENTIONED IN SECTIONS 35 AND 37

We are not aware of any contract, which the Insolvent concluded before the sequestration of his/her estate to obtain immovable goods which were not transported to him/her at date of sequestration.

SECTION 81(1)(i): MATTERS IN REGARD TO THE ADMINISTRATION OR REALIZATION OF THE ESTATE

With the information at my disposal it appears at this stage that there is no

deur skuldeisers wat eise bewys nie.

Ons versoek Skuldeisers om die Besluite hierby aangeheg, te bekragtig en om in te stem dat die verdere hantering van die boedel in ons diskresie oorgelaat word.

GETEKEN TE PRETORIA HIERDIE DAG

VAN 2007.

danger of contribution by proved creditors.

We request creditors to adopt the attached Resolutions and to leave the future administration of the estate in our hands.

SIGNED AT PRETORIA THIS DAY

OF2007.

PAUL D KRUGER

LDR VAN DER MERWE

SAG KHAMISSA
KURATORS / TRUSTEES

PAUL D KRUGER CONSULTING CC
POSBUS / P O BOX 2232
PRETORIA
0001

TEL: (012) 330 0604
FAX: (012) 320 3773

INSOLVENTE BOEDEL JHJUAN HERSELMAN VAN REENEN

MEESTER SE VERWYSINGSNR. T1439/06

VOORGESTELDE BESLUIT

OM TER TAFEL GELê TE WORD OP DIE TWEDE VERGADERING VAN SKULDEISERS WAT BELê IS OM GEHOU TE WORD VOOR DIE LANDDROS TE PRETORIA-NOORD OP 19 APRIL 2007 OM 9:00.

HIERMEE WORD BESLUIT

- 1 Dat die verslag van die Kurator(s) aanvaar word en dat sy\hulle handelingse soos daarin genoem goedgekeur en bekragtig word;
- 2 Dat die handelingse van die voorlopige kurator(s) en kurator(s) om regsadvies te bekom en die indiensneming van regspraktisyns soos hy\hulle nodig geag het vir die administrasie van die boedel tot datum, gemagtig en goedgekeur word en dat die koste daaraan verbonde betaal word uit die fondse van die boedel as deel van die administrasiekoste;
- 3 Dat die kurator(s) gemagtig word om die dienste van regspraktisyns verder te bekom soos hy\hulle van tyd tot tyd mag benodig in die belang van die boedel en dat die koste betaal te word uit die fondse van die boedel as deel van die administrasiekoste;
- 4 Dat die kurator(s) gemagtig word om enige regsgeleding aanhangig te maak of te verdedig en/of opsporings- invorderingsagente aan te stel ten einde skulde of bates aan die boedel verskuldig, in te vorder of ten opsigte van enige ander saak rakende die boedel, insluitende die houe van ondersoek of ondervragings kragtens die Insolvensiewet 1936, soos gewysig, soos hy\hulle mag nodig ag en om vir sodanige doel van die dienste van regspraktisyns van sy\hulle keuse gebruik te maak en om hulle rekenings as koste van administrasie te betaal en welke rekeningse nie nodig sal wees om te takseer nie maar 'n fooi goedgekeur deur die kurator(s) sal betaalbaar wees.

INSOLVENT ESTATE JHJUAN HERSELMAN VAN REENEN

MASTER'S REFERENCE NUMBER: T1439/06

RESOLUTION

TO BE SUBMITTED AT THE SECOND MEETING OF CREDITORS TO BE HELD BEFORE MAGISTRATE PRETORIA-NORTH ON 19 APRIL 2007 AT 9:00

IT IS HEREBY RESOLVED

- 1 That the report of the Trustee(s) and his\their actions as referred to therein be and are hereby approved, ratified and confirmed.
- 2 That the actions of the provisional Trustee(s) and Trustee(s) in engaging the services of attorneys and/or counsel on such matters as he\they found necessary in die administration of the estate to date, are hereby approved, ratified and confirmed and the costs thereof be paid out of the funds of the estate as part of the costs of administration.
- 3 That the Trustee(s) be and is\are hereby authorised to engage whatever further legal assistance he\they may require in the interests of the estate and that the costs thereof be paid out of the funds of the estate as part of the costs of administration.
- 4 That the Trustee(s) be and is\are hereby authorised to institute or defend legal action and/or employ the services of a tracing agent or debtor collector in order to collect debts owing to the estate or in respect of any other matter affecting the estate including the holding of enquiries or examinations in terms of the Insolvency Act, 1973, as amended, as he\they may deem fit, and for such purposes to employ the services of attorneys and/or counsel of his\their choice and to pay the costs out of funds of the estate as part of the costs of administration which accounts do not have to be taxed but a fee approved by the trustee(s) will be payable.

5 Dat die Kurator(s) gemagtig word om enige aksies deur of teen die boedel reeds aanhangig gemaak of gemaak staan te word, te skik of 'n kompromis daaroor aan te gaan, op sulke terme en voorwaardes as wat hy\hulle mag goeddink;

6 Dat indien kostes aangegaan word vir die gebruik van 'n bandopneemasjien waar die Staat nie die diens kosteloos verskaf nie, die koste hieraan verbonde en die kostes om afskrifte van die hofrekords te verkry as koste van die boedel beskou word en toegelaat word;

7 Dat die Kurator(s) gemagtig word om enige roerende of onroerende eiendom van die boedel van watter beskrywing ookal en insluitende uitstaande skulde per publieke veiling, tender of uit die hand te verkoop op sodanige wyse en voorwaardes as wat hy\hulle mag goeddink;

8 Dat die Kurator(s) gemagtig word om enige verband ten gunste van die boedel te kanselleer;

9 Dat die Kurator(s) gemagtig word om afstand te doen van enige skuld of deel van 'n skuld wat betaalbaar is aan die boedel en wat volgens sy\hulle oordeel onverhaalbaar is;

10 Dat die Kurator(s) gemagtig word om van die dienste van afslaaers of agente gebruik te maak om die bates van die boedel van die hand te sit en om die verkoopsvoorwaardes en manier van advertering na sy\hulle goeddunke te bepaal;

11 Dat die Kurator(s) gemagtig word om in sy\hulle diskresie skikkings aan te gaan en eise hetsy gelikwideerd aldan nie teen die boedel, voortspuitend uit 'n waarborg of enige ander oorsaak, as 'n gelikwideerde eis kragtens Artikel 78(3) van die Insolvensiewet, soos gewysig, toe te laat teen 'n bedrag waartoe beide die betrokke krediteur(e) en die Kurator(s) ooreenkom, op voorwaarde dat bewys daarvan aangebied is by 'n vergadering van skuldeisers;

12 Dat die Kurator(s) gemagtig word om oordrag te gee aan kopers van onroerende eiendom wat vanaf die boedel gekoop is op 'n datum voor insolvensie of om toe te stem tot die kansellasië van sodanige verkoop of om toe te stem tot die plaasvervanging van nuwe kopers in terme

5 That the Trustee(s) be and is\are hereby authorised to settle or compromise any legal proceedings whether instituted or to be instituted by or against the estate, on such terms and conditions and for such amount as he\they in his\their discretion may deem fit.

6 That should costs be incurred for the use of a tape recorder where the State does not supply the service free of charge, the costs thereof and the cost for obtaining copies of the Court records will be deemed part of the administration costs of the estate.

7 That the Trustee(s) be and is\are hereby authorised to sell any movable or immovable property of the estate of whatsoever description and including outstanding debts by public auction, public tender or private treaty in such manner, upon such terms and conditions and for such amounts as he\they may deem fit.

8 That the Trustee(s) be and is\are hereby authorised to consent to the cancellation of any bond passed in favour of the estate.

9 That the Trustee(s) be and is\are hereby authorised to abandon any amount or any part of an amount due to the estate as he\they has\have been unable to recover or dispose of as he\they may deem fit.

10 That the Trustee(s) be and is\are hereby authorised to engage the services of auctioneers or agents to sell the assets of the estate and to determine the conditions of sale and manner of advertising in his\their discretion.

11 That the Trustee(s) be and is\are hereby authorised and empowered in his\their discretion to compromise or admit any claim against the estate, whether liquidated or unliquidated, arising from any guarantee or any other cause whatsoever, as a liquidated claim in terms of Section 78(3) of the Insolvency Act, as amended, at such amount as may be agreed upon between the creditor(s) concerned and the Trustee(s) provided that proof thereof has been tendered at a meeting of creditors.

12 That the Trustee(s) be and is\are hereby authorised to transfer to the purchaser thereof any immovable property sold by the estate prior to its liquidation or to agree to the cancellation of any such sale and to re-sell

van bestaande koopkontrakte;

- 13 Dat die Kurator(s) gemagtig word om in sy/hulle diskresie enige bate of bates van die boedel waar geen koper vir sodanige bate(s) gevind kan word nie prys te gee en te verlaat;
- 14 Dat die Kurator(s) gemagtig word om huurkontrakte te kanselleer ten opsigte van geboue of enige ander voorwerp;
- 15 Dat die Kurator(s) gemagtig word om, indien nodig, lenings aan te gaan vir geld, met of sonder om sekuriteit te bied en dat alle rente betaalbaar op sodanige lenings administrasiekoste teen die boedel sal wees;
- 16 Dat die Kurator(s) gemagtig word om van die dienste gebruik te maak van boekhouders, rekenmeester en enige ander persoon wie hy/hulle vir die boedel se doel mag benodig en dat die koste daarvan 'n administrasiekoste van die boedel sal wees;
- 17 Dat die verdere administrasie van die boedel in die hande van die Kurator(s) gelaat word.

such property or to agree to the substitution of an new purchaser under any existing Deed of Sale.

- 13 That the Trustee(s) be and is/are hereby authorised to abandon any asset or assets of the estate where no purchaser for the asset(s) can be found.
- 14 That the Trustee(s) be and is/are hereby authorised to terminate leases in respect of premises or of any other object entered into by the estate.
- 15 That the Trustee(s) be and is/are hereby authorised to, if necessary, borrow moneys with or without providing security therefor and that the interest payable on such loans shall be paid as costs of administration of the estate.
- 16 That the Trustee(s) be and is/are hereby authorised to engage the services of bookkeepers, accountants, auditors or any other person for any purpose in and about the affairs of the estate which he/they may require and the costs so incurred to be paid as costs of administration of the estate.
- 17 That the future administration of the estate be left in the hands of and to the discretion of the Trustee(s).

.....
qq KREDITEURE /
CREDITORS

.....
VOORSITTENDE BEAMPTTE /
PRESIDING OFFICER