

Masters Reference : T1680/08

INSOLVENT ESTATE

NICOLAAS ANDREAS PETRUS

VAN DER MERWE

***AMENDED FIRST AND FINAL LIQUIDATION,
DISTRIBUTION***

AND

CONTRIBUTION ACCOUNT

Date of Sequestration : 13 June 2008

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I N D E P E N D E N T
C O R P O R A T E R E C O V E R Y A D V I S O R S

**INSOLVENT ESTATE NICOLAAS ANDREAS PETRUS VAN DER MERWE
AMENDED FIRST AND FINAL LIQUIDATION, DISTRIBUTION & CONTRIBUTION ACCOUNT
MASTERS REFERENCE NUMBER: T1680/08**

INDEX

PAGE	DESCRIPTION
1 - 7	Liquidation Account
8	Schedule "A" Master's Fees Calculation & Bond of Security
9	Schedule "B" Apportionment of Interest
9	Schedule "C" Apportionment of Bond of Security and Master's Fees
10	Schedule "D" Schedule of Interest and Bank Charges
11 - 12	Schedule "E" Schedule of Income Tax
13	Distribution & Contribution Account
14 - 16	Affidavits duly signed by Joint Trustees
17	Bank Statements

**INSOLVENT ESTATE NICOLAAS ANDREAS PETRUS VAN DER MERWE
AMENDED FIRST AND FINAL LIQUIDATION, DISTRIBUTION & CONTRIBUTION ACCOUNT
MASTERS REFERENCE NUMBER: T1680/08**

Bank Reconciliation					
Date	Bank Reconciliation	[R]	Voucher	[R]	[R]
Income					
	Balance at Absa as at 1 February 2013				159 775.10
	Account number : 40-7288-8707	7 579.48			
		152 195.62			
Expenses to be paid					
	Master's fees			8 175.00	
	Trustees fees:	61 539.93		70 155.52	
	Vat thereon	8 615.59			
		0.00			
	Provisions for advertising			612.10	
	Provision for bank charges			1 000.00	
	Bond of Security			15 116.40	
	South African Revenue Service			18 042.93	
	Income Tax	18 042.93			
Awards:					
	Sanlam Home Loans	458 460.57		-9 754.70	
	LESS: Advance dividend	-487 000.00			
	ADD: Repayment on overpayment	33 072.47			
	Less: Contribution	-14 287.74			
	First National Bank	363 448.12		40 356.32	
	LESS: Advance dividend	-320 000.00			
	Less: Contribution	-3 091.81			
	First National Bank	222 241.35		12 452.98	
	LESS: Advance dividend	-200 000.00			
	Less: Contribution	-9 788.37			
	First National Bank	109 598.91		3 395.30	
	LESS: Advance dividend	-100 000.00			
	Less: Contribution	-6 203.61			
	Motor Finance Corporation	84 342.46		223.26	
	LESS: Advance dividend	-77 900.00			
	Less: Contribution	-6 219.20			
			0.00	159 775.10	159 775.10

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MASTERS REFERENCE NUMBER: T1680/08**

Free Residue Account					
Date	Free Residue Account	[R]	Voucher	[R]	[R]
	Income				
	Contribution				39 590.72
	Expenses				
	Hendriette Muller Attorneys Taxed Bill of Costs			30 000.00	
	Bank Charges		"D"	3 087.40	
	Advertising:			1 367.57	
	The Citizen	174.42			
	The Citizen	243.96			
	Die Beeld	139.17			
	Die Beeld	139.17			
	Die Beeld	181.78			
	Government Gazette:	53.20			
	Government Gazette:	53.20			
	Government Gazette:	61.17			
	Registered mail	43.20			
	Registered mail	47.55			
	Registered mail	47.55			
	Registered mail	140.00			
	Registered mail	43.20			
	Courier and postage	35.00		445.00	
		120.00			
		120.00			
		170.00			
	Post sequestration tax		"E"	-411.73	
	SARS - CGT			4 490.38	
	Provisions for advertising this account			612.10	
				39 590.72	39 590.72

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Encumbered Asset Account 1

**Dealing with the proceeds of the sale of an immovable property known as 84 Aston Manor
Kempton Park subject to a mortgage bond with Sanlam Home Loans - Claim No. 4**

Date	Encumbered Asset Account No 1	[R]	Voucher	[R]	[R]
	Income				
	Proceeds of sale of Aston Manor				600 000.00
	Refund on rates and taxes				2 047.87
	Interest Earned		"B"		7 028.68
	Expenses				
	Master's fees per Schedule		"C"	3 018.16	
	Trustees Fees			18 702.87	
	3% on Realization	18 000.00			
	10% on interest	702.87			
	Vat thereon			2 618.40	
	Bond of security per Schedule		"C"	27 045.83	
	Park Village Auctions				
	Valuation Fee			0.00	
	Agents commission			41 040.00	
	Nelson Bornman Attorneys			56 902.07	
	Clearance certificate	16 990.22			
	Costs	300.00			
	Refund to ABSA on rates and taxes	39 611.85			
	Deed Search			150.00	
	Post sequestration tax		"E"	1 138.65	
	Awarded to secured creditor no.4			458 460.57	
				609 076.55	609 076.55
				0.00	

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 MASTERS REFERENCE NUMBER: T1680/08**

Encumbered Asset Account 2

Dealing with the proceeds of the sale of an immovable property known as "SS Walthof" Unit 5
 Bronkhorstspuit subject to a mortgage bond with First National Bank - Claim No. 3

Date	Encumbered Asset Account No 2	[R]	Voucher	[R]	[R]
	Income				
	Proceeds of sale of Walthof	414 000.00			460 000.00
	Deposit paid to Auction Alliance	46 000.00			
	Occupational Rental Received				18 949.52
	Interest Earned		"B"		5 610.64
	Refund on rates and taxes		25		1 899.76
	Expenses				
	Master's fees per Schedule		"C"	2 409.25	
	Trustees Fees			14 876.02	
	3% on sale of property	12 420.00			
	10% on rental	1 894.95			
	10% on interest	561.06			
	Vat thereon			2 082.64	
	Bond of security per Schedule		"C"	21 589.31	
	Park Village Auctions				
	Valuation Fee			0.00	
	Auction costs			12 841.07	
	Auctioneers Commission			20 976.00	
	BVZ Attorneys			44 108.76	
	Municipality	31 549.27			
	Body Corporate	12 559.49			
	Deed Search			150.00	
	Post sequestration tax		"E"	3 978.75	
	Award to secured creditor No. 3			363 448.12	
				486 459.92	486 459.92

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Encumbered Asset Account 3

Dealing with the proceeds of the sale of an immovable property known as Erf 6895 Helena Bay
subject to a mortgage bond with First National Bank - Claim No. 2

Date	Encumbered Asset Account No 3	[R]	Voucher	[R]	[R]
	Income				
	Balance of Purchase Price of Erf 6895	225 000.00			250 000.00
	Deposit paid to Auctioneers	25 000.00			
	Refund on rates and taxes				4 023.27
	Refund on levies				2 546.95
	Occupational rent				29 784.66
	Interest Earned		"B"		3 277.53
	Expenses				
	Master's fees per Schedule		"C"	1 407.39	
	Trustees Fees			10 806.22	
	3% on sale of property	7 500.00			
	10% on occupational rent	2 978.47			
	10% on interest	327.75			
	Vat thereon			1 512.87	
	Bond of security per Schedule		"C"	12 611.68	
	Michael James Organisation				
	Valuation Fee			974.70	
	Auction costs			3 912.17	
	Auctioneers Commission			11 400.00	
	BVZ Attorneys			19 259.95	
	Rates and taxes	11 773.15			
	Levies	7 486.80			
	Deed Search			150.00	
	Post sequestration tax		"E"	5 356.07	
	Award to secured creditor No. 2			222 241.35	
				289 632.41	289 632.41

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MASTERS REFERENCE NUMBER: T1680/08**

Encumbered Asset Account 4

**Dealing with the proceeds of the sale of an immovable property known as Erf 8573 Helena Bay
subject to a mortgage bond with First National Bank - Claim No. 1**

Date	Encumbered Asset Account No 4	[R]	Voucher	[R]	[R]
	Income				
	Balance of Purchase Price of Erf 8573	126 000.00			140 000.00
	Deposit paid to Auctioneers	14 000.00			
	Occupational rent				18 427.20
	Interest Earned		"B"		1 855.89
	Refund on rates and taxes				6 384.21
	Expenses				
	Master's fees per Schedule		"C"	796.93	
	Trustees Fees			6 228.31	
	3% on sale of property	4 200.00			
	10% on occupational rent	1 842.72			
	10% on interest	185.59			
	Vat thereon			871.96	
	Bond of security per Schedule		"C"	7 141.33	
	Michael James Organisation				
	Valuation Fee			633.84	
	Advertising costs			3 912.17	
	Auctioneers Commission			6 384.00	
	Nelson Bornman Attorneys				
	Clearance certificate			27 663.99	
	Deed Search			150.00	
	Post sequestration tax		"E"	3 285.86	
	Award to secured creditor No. 1			109 598.91	
				166 667.30	166 667.30

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 MASTERS REFERENCE NUMBER: T1680/08**

Encumbered Asset Account 5

**Dealing with the proceeds of the sale of Nissan 3 Litre subject to an instalment sale agreement
 with Motor Finance Corporation - Claim No. 5**

Date	Encumbered Asset Account No 5	[R]	Voucher	[R]	[R]
	Income				
	Proceeds of sale of motor vehicle				108 000.00
	Interest Earned		"B"		1 265.16
	Expenses				
	Master's fees per Schedule		"C"	543.27	
	Trustees Fees			10 926.52	
	10% on sale of motor vehicle	10 800.00			
	10% on interest	126.52			
	Vat thereon			1 529.71	
	Bond of security per Schedule		"C"	4 868.25	
	Liquidation Bonding Services				
	Asset Insurance			3 070.00	
	Auctioneer's commission			3 780.00	
	Post sequestration tax		"E"	204.96	
	Award to secured creditor No. 5			84 342.46	
				109 265.16	109 265.16

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MASTERS REFERENCE NUMBER: T1680/08**

SCHEDULE "A"

Date	Schedule "A"	[R]	Voucher	[R]	[R]
	<u>Realizations</u>				
	Encumbered Asset Account No 1:				600 000.00
	Encumbered Asset Account No. 2				478 949.52
	Encumbered Asset Account No. 3				279 784.66
	Encumbered Asset Account No. 4				158 427.20
	Encumbered Asset Account No. 5				108 000.00
	Interest earned				6 842.27
					1 632 003.65
	<u>Master's fees</u>				
	On first	15 000.00		100.00	
	On balance	1 617 003.65		8 075.00	
				8 175.00	
	<u>Park Brokers</u>				
	1st Premium on Bond of Security Period: 24/6/08 - 23/6/09			19 380.00	
	Period: 24/6/09 - 23/6/10			19 380.00	
	Period: 24/6/10 - 23/6/11			19 380.00	
	Period: 24/6/11 - 23/6/12			3 779.10	
	Period: 24/6/12 - 23/6/13			3 779.10	
	Provision: 24/6/13 - 23/6/14			3 779.10	
	Provision: 24/6/14 - 23/6/15			3 779.10	
				73 256.40	

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MASTERS REFERENCE NUMBER: T1680/08**

SCHEDULE "B"			
APPORTIONMENT OF INTEREST			
	GROSS REALISATIONS	INTEREST	
Encumbered Asset Account No. 1	600 000.00	7 028.68	
Encumbered Asset Account No. 2	478 949.52	5 610.64	
Encumbered Asset Account No. 3	279 784.66	3 277.53	
Encumbered Asset Account No 4	158 427.20	1 855.89	
Encumbered Asset Account No. 5	108 000.00	1 265.16	
	1 625 161.38	19 037.89	
SCHEDULE "C"			
APPORTIONMENT OF SECURITY BOND PREMIUMS & MASTERS FEES			
	GROSS REALISATIONS	SECURITY BOND	MASTER'S FEES
Encumbered Asset Account No. 1	607 028.68	27 045.83	3 018.16
Encumbered Asset Account No. 2	484 560.16	21 589.31	2 409.25
Encumbered Asset Account No. 3	283 062.19	12 611.68	1 407.39
Encumbered Asset Account No 4	160 283.09	7 141.33	796.93
Encumbered Asset Account No. 5	109 265.16	4 868.25	543.27
	1 644 199.27	73 256.40	8 175.00

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MASTERS REFERENCE NUMBER: T1680/08**

SCHEDULE "D"				
Statement No	Date	Interest Current	Interest Investment	Bank Charges
1	1 December 2008			
2	26 December 2008	1.98		16.90
3	1 January 2009	19.38		35.00
4	1 February 2009	18.70		37.50
5	1 March 2009	102.45		37.50
6	1 April 2009	659.70		37.50
7	1 May 2009	57.60		37.50
8	1 June 2009	32.82		37.50
9	1 July 2009	22.93		37.50
10	1 August 2009	63.63		37.50
11	1 September 2009	79.93		37.50
12	1 October 2009	55.80		37.50
13	1 November 2009	34.29		37.50
14	1 December 2009	815.43		37.50
15	1 January 2010	339.18		37.50
16	1 February 2010	263.82		39.20
17	1 March 2010	178.71		39.20
18	1 April 2010	155.94		39.20
19	1 May 2010	114.70		39.20
20	1 June 2010	118.69		39.20
21	1 July 2010	848.37		39.20
22	1 August 2010	397.08		39.20
23	1 September 2010	156.71		39.20
24	1 October 2010	498.32		39.20
25	1 November 2010	399.04		39.20
26	1 December 2010	425.47		39.20
27	1 January 2011	394.92		39.20
28	1 February 2011	395.70		41.75
29	1 March 2011	124.56	671.23	60.85
30	1 April 2011	1.55	697.18	41.75
31	1 May 2011	1.49	466.71	41.75
32	1 June 2011	1.54	468.25	41.75
33	1 July 2011	1.48	468.79	41.75
34	1 August 2011	1.52	708.61	41.75
35	1 September 2011	1.52	473.68	41.75
36	1 October 2011	1.46	407.30	41.75
37	1 November 2011	1.50	476.59	41.75
38	1 December 2011	1.45	478.16	41.75
39	1 January 2012	1.49	548.33	41.75
40	1 February 2012	1.48	481.55	46.50
41	1 March 2012	1.38	725.31	46.50
42	1 April 2012	1.46	537.60	46.50
43	1 May 2012	1.39	487.31	46.50
44	1 June 2012	1.40	488.26	46.50
45	1 July 2012	1.30	491.19	46.50
46	1 August 2012	0.95	434.88	46.50
47	1 September 2012	0.33	436.15	46.50
Printout	1 October 2012	0.33	437.42	46.50
Printout	1 November 2012	0.33	438.70	46.50
Printout	1 December 2012	0.34	439.98	54.50
Printout	1 January 2013	19.66	932.44	0.00
Printout	1 February 2013	21.07		75.50
	Provision			1 000.00
	Total	6 842.27	12 195.62	3 087.40
	TOTAL	19 037.89		

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 MASTERS REFERENCE NUMBER: T1680/08

SCHEDULE "E" - TAX SCHEDULE

Income Tax on post liquidation Income

	<u>Total</u>	<u>Free Residue</u>	<u>Enc Asset 1</u>	<u>Enc Asset 2</u>	<u>Enc Asset 3</u>	<u>Enc Asset 4</u>	<u>Enc Asset 5</u>
Interest earned on estate bank account	-	-	7 028.68	5 610.64	3 277.53	1 855.89	-
Occupational rental	68 426.54	-	-	18 949.52	29 784.66	18 427.20	1 265.16
Less: Bank Charges	2 287.40	2 287.40	-	-	-	-	-
Less: Liquidators fees	3 158.88	-	702.87	2 456.02	-	2 028.31	126.52
Taxable income	62 980.26	2 287.40	6 325.81	22 104.14	29 755.97	18 254.78	1 138.65

Tax @ 18%	13 552.55	411.73	1 138.65	3 978.75	5 356.07	3 285.86	204.96
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CAPITAL GAINS TAX

Sale price of the Property - EA1

600 000.00

LESS: BASE COST:

Arrear rates and taxes

16 990.22

Arrear levies

39 611.85

Deed search cost

-

Valuation cost

-

Agent's commission

41 040.00

Attorneys cost

300.00

LESS: ORIGINAL PURCHASE PRICE

950 000.00

TAXABLE AMOUNT

447 942.07

Inclusion rate @ 50%

223 971.04

CAPITAL GAINS TAX PAYABLE @ 28%

-

Sale price of the Proeprty - EA2					460 000.00	
LESS: BASE COST:						
Arrear rates and taxes					31 549.27	
Arrear levies					12 559.49	
Deed search cost						
Auction costs					12 841.07	
Agent's commission					20 976.00	
Attorneys cost						
LESS: ORIGINAL PRUCHASE PRICE					350 000.00	
TAXABLE AMOUNT					32 074.17	
Inclusion rate @ 50%					16 037.09	
CAPITAL GAINS TAX PAYABLE @ 28%					4 490.38	
Sale price of the Proeprty - EA3					250 000.00	
LESS: BASE COST:						
Arrear rates and taxes					11 773.15	
Arrear levies					7 486.80	
Valuation Cost					974.70	
Auction costs					3 912.17	
Agent's commission					11 400.00	
Attorneys cost						
LESS: ORIGINAL PRUCHASE PRICE					590 000.00	
TAXABLE AMOUNT					375 546.82	
Inclusion rate @ 50%					187 773.41	
CAPITAL GAINS TAX PAYABLE @ 28%					-	
Sale price of the Proeprty - EA4					140 000.00	
LESS: BASE COST:						
Arrear rates and taxes					27 663.99	
Arrear levies						
Valuation Cost					633.84	
Auction costs					3 912.17	
Agent's commission					6 384.00	
Attorneys cost						
LESS: ORIGINAL PRUCHASE PRICE					399 000.00	
TAXABLE AMOUNT					297 594.00	
Inclusion rate @ 50%					148 797.00	
CAPITAL GAINS TAX PAYABLE @ 28%					-	

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DISTRIBUTION & CONTRIBUTION ACCOUNT									
Claim No	Creditors' Name and Address	Particulars	Total	Secured/ Preferent Claim	Concurrent Claim	Secured/ Preferent Award	Contribution	Deficiency	
1	First National Bank P O Box 1065 JOHANNESBURG 2000	Mortgage Bond Erf 6895 St Helena Bay Acc No. 3-000-011-117-723	382 091.52	(RELIED) 382 091.52	0.00	109 598.91	6 203.61	278 696.22	
2	First National Bank P O Box 1065 JOHANNESBURG 2000	Mortgage Bond Erf 6895 St Helena Bay Acc No. 3-000-011-144-224	652 193.72	(RELIED) 652 193.72	0.00	222 241.35	9 788.37	439 740.74	
3	First National Bank P O Box 1065 JOHANNESBURG 2000	Mortgage Bond SS 5 Walthof Acc No. 62-095-446-780	499 255.29	(RELIED) 499 255.29	0.00	363 448.12	3 091.81	138 898.97	
4	Sanlam Home Loans (Pty) Ltd P O Box 5181 JOHANNESBURG 2000	Mortgage Bond Aston Manor Acc No. 8063159666	1 086 047.30	(RELIED) 1 086 047.30	0.00	458 460.57	14 287.74	641 874.47	
5	Motor Finance Corporation P O Box 4005 EDENVALE 1610	Instalment Sale Agreement Acc No. Van der05118080	357 519.63	(RELIED) 357 519.63	0.00	84 342.46	6 219.20	279 396.37	
		Total	2 977 107.46	2 977 107.46	0.00	1 238 091.41	39 590.72	1 778 606.77	

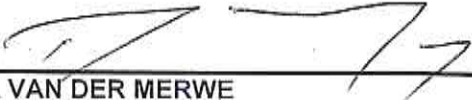
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TRUSTEES AFFIDAVIT

I, the undersigned,


LIEBENBERG DAWID RYK VAN DER MERWE

the appointed joint trustees of the insolvents, do hereby make oath and say that the foregoing contains a full and true account of our administration of the estate to date hereof and to the best of our knowledge all the assets of the insolvents have been dealt with in this account.



LDR VAN DER MERWE

I hereby certify that the Deponent has acknowledged that he knows and understands the contents of this affidavit, which was signed and sworn before me at **ROODEPOORT** on the 12 day of **FEBRUARY 2013**, the regulations contained in the Government Notice No R 1258 of 21 July 1972, as amended, and the Government Notice No R 1658 of 19 August 1977, as amended, having been complied with.



COMMISSIONER OF OATHS

Full names: **ANGELENE POOLE**
Business Address: **COMMISSIONER OF OATHS (RSA)**
Office: i.t.o. Section 5(1) of the Act
9/1/8/2 Randburg
27-7th Avenue Parktown North 2193
Date:.....12/2/13.....


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TRUSTEES AFFIDAVIT

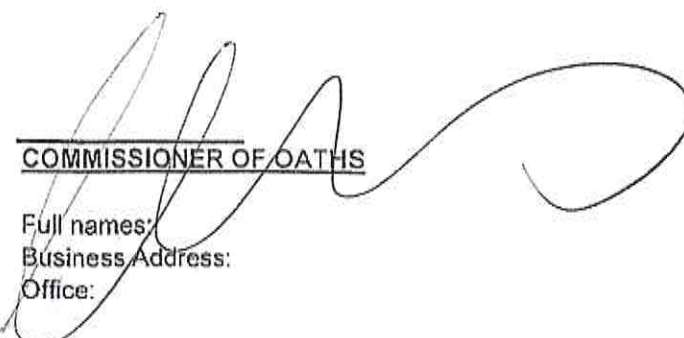
I, the undersigned,

PIETER COLLINS KOEN

the appointed joint trustees of the insolvents, do hereby make oath and say that the foregoing contains a full and true account of our administration of the estate to date hereof and to the best of our knowledge all the assets of the insolvents have been dealt with in this account.


PC KOEN

I hereby certify that the Deponent has acknowledged that he knows and understands the contents of this affidavit, which was signed and sworn before me at Pretoria on the 20 day of **FEBRUARY** 2013, the regulations contained in the Government Notice No R 1258 of 21 July 1972, as amended, and the Government Notice No R 1658 of 19 August 1977, as amended, having been complied with.


COMMISSIONER OF OATHS

Full names:
Business Address:
Office:

CORNELIA ELIZABETH DE BEER
SNYMAN DE JAGER INC.
BUREAU FORUM 60E VERDIEPING / 6TH FLOOR
BUREAULAAN / BUREAU LANE
POSBUS 656 / P. O. BOX 565 PRETORIA, 0001
TEL : (012) 326 1250

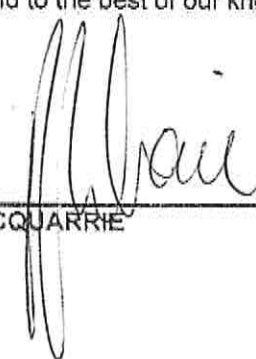
INSOLVENT ESTATE NICOLAAS ANDREAS PETRUS VAN DER MERWE
AMENDED FIRST AND FINAL LIQUIDATION, DISTRIBUTION & CONTRIBUTION ACCOUNT
MASTERS REFERENCE NUMBER: T1680/08

TRUSTEES AFFIDAVIT

I, the undersigned,

ADEL DORREEN MCQUARRIE

the appointed joint trustees of the insolvents, do hereby make oath and say that the foregoing contains a full and true account of our administration of the estate to date hereof and to the best of our knowledge all the assets of the insolvents have been dealt with in this account.


AD MCQUARRIE

I hereby certify that the Deponent has acknowledged that he knows and understands the contents of this affidavit, which was signed and sworn before me at Parktown on the 15 day of **FEBRUARY** 2013, the regulations contained in the Government Notice No R 1258 of 21 July 1972, as amended, and the Government Notice No R 1658 of 19 August 1977, as amended, having been complied with.


COMMISSIONER OF OATHS

Full names:

Business Address:

Office:

BIANCA BLANCHÉ CARVALHO DA COSTA
Commissioner of Oaths
Ex Officio - Practising Attorney R.S.A.
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