

PAT DEWES ATTORNEYS

Our ref: AL Kaufmann/06S693001

Per email: pd@patdewes.co.za

Date: 28 October 2022

“Without Prejudice”

Dear Mr Dewes

RE: PROPERTY DISPUTE: PORTIONS 334 AND 335 OF THE FARM SPRINGVALE

We refer to the above matter.

Please be advised that subsequent to our mail of 12 August 2022 our Client has been made aware of certain developments relevant to the issue at hand.

In this regard we are instructed by our Client that prior to the property being sold to our Client by Crago, Crago was in fact aware that he was selling two portions, yet representations were made to our Client as set out in our letter dated 20 July 2022.

The aforementioned information was relayed to our Client by a close neighbor, Elanor Derrick, who advised that she had had a conversation with Crago to this effect whilst he was in the process of marketing the property.

As a consequence of that recorded above, we sent the attached letter to Crago, which letter has received no substantial response save for stating that he will obtain legal assistance once formal proceedings have commenced. Attached herewith is his response.

As we are sure you will appreciate, and given the recent developments, our Client is of the view that he is in no way, manner, or form at fault herein and is, subject to that recorded below, extremely reluctant to make any proposals whatsoever.

HAY AND SCOTT ATTORNEYS
Vat No: 4320203344

+27 033 342 4800
www.hayandscott.com

HEAD OFFICE
Top Floor, 3 Highgate Drive, Redlands Estate,
1 George MacFarlane Lane, Pietermaritzburg
P.O.Box
P.O.Box 12 000, Dorpspruit, 3206
Docex
Docex 26, Pietermaritzburg

PARTNERS
Paul Simon Hay
Roderick Farmer Brent
Jeremy Frank Capon
Diana Oliwia Pęczak
Anthony Luke Kaufmann

Senior Consultant:
Andrew Bruce Léman Scott
Senior Associates:
Grant Douglas Williams
Simon Rory Pennefather
Faadela Essop
Associates:
Michaela Amy Kinsley
Katelyn Marie McFarlane
Chelsea Fay Strachan

Further to the above we are instructed to record that our Client is a retired pensioner, who is currently living off the proceeds of the sale of the Property and who has no other means of subsistence.

Notwithstanding the above, our offices have relayed to our Client, the commercial benefits of the matter being settled, given the costs that will be associated with litigation of this nature.

Accordingly, the door to settlement remains open.

Before making any proposal, our Client has requested that he be furnished with the following:

- a. We note that you have cc'd Anne Coventry into your correspondence and enquire as to how it could possibly have taken her almost 10 years to become aware of the encroachment onto her property. It is our Client's contention that Coventry, by failing to bring the encroachment to the attention of our Client prior to the building of the house, and subsequent thereto, ought to be bear some of the burden occasioned with this dispute;
- b. We note further from your correspondence that Coventry intends selling the Property. Please can you indicate whether or not a purchase price has been suggested as yet?

In order for the matter to be settled we presume that your Clients would be seeking a contribution toward the purchase price of Coventry's property. Given that your Clients are the only party receiving the benefit herein we are of the opinion that they ought to bear the greatest contribution toward the purchase price.

Please can you advise if your Clients have indicated an amount that they would be willing to contribute to the purchase price of the property.

Once we are in possession of the above requested information we will engage further with our Client for the purposes of obtaining a proposal herein.

We look forward to hearing from you.

All our Clients' rights herein remain fully reserved.

Yours sincerely

AL Kaufmann

A L KAUFMANN

HAY AND SCOTT ATTORNEYS

anthony@hayandscott.co.za

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