



GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

N\$1.00

WINDHOEK -20 April 2000

No. 2315

Advertisements

PROCEDURE FOR ADVERTISING IN THE GOVERNMENT GAZETTE OF THE REPUBLIC OF NAMIBIA

1. The *Government Gazette* (Estates) containing advertisements, is published on every Friday. If a Friday falls on a Public Holiday, this *Government Gazette* is published on the preceding Thursday.

2. Advertisements for publication in the *Government Gazette* (Estates) must be addressed to the Government Gazette Office, P.B. 13302, Windhoek, or be delivered at Justitia Building, Independence Avenue, Second Floor, Room 219, Windhoek, not later than 15:00 on the ninth working day before the date of publication of this *Government Gazette* in which the advertisement is to be inserted.

3. Advertisements are published in this *Government Gazette* for the benefit of the public and must be furnished in English by the advertiser or his agent.

4. Only legal advertisements shall be accepted for publication in the *Government Gazette* (Estates) and are subject to the approval of the Permanent Secretary, Ministry of Justice, who may refuse the acceptance of further publication of any advertisement.

5. The Ministry of Justice reserves the right to edit and revise copy and to delete therefrom any superfluous detail.

6. Advertisements must as far as possible be typewritten. The manuscript of advertisements must be written on one side of the paper only and all proper nouns plainly inscribed. In the event of any name being incorrectly printed as a result of indistinct writing, the advertisement can only be reprinted on payment of the cost of another insertion.

7. No liability is accepted for any delay in the publication of advertisements/notices, or for the publication of such on any date other than that stipulated by the advertiser. Similarly no liability is accepted in respect of any editing, revision, omission, typographical errors or errors resulting from faint or indistinct copy.

8. The advertiser will be held liable for all compensation and costs arising from any action which may be instituted against the Government of Namibia as a result of the publication of a notice with or without any omission, errors, lack of clarity or in any form whatsoever.

9. The subscription for the *Government Gazette* is N\$251,50 including GST per quarter, obtainable from Solitaire Press CC, C12 Industria Park, New Castle Street, Northern Industrial Area, P.O. Box 1155, Windhoek. Postage must be prepaid by all subscribers. Single copies of the *Government Gazette* are obtainable from Solitaire Press CC, C12 Industria Park, New Castle Street, Northern Industrial Area, P.O. Box 1155, Windhoek, at the price as printed on copy. Copies are kept in stock for two years only.

10. The charge for the insertion of notices is as follows and is payable in the form of cheques, postal or money orders:

LIST OF FIXED TARIFF RATES

STANDARDISED NOTICES	Rate per insertion N\$
Transfer of business	14,00
Deeds: Lost documents	26,00
Business Notices	21,00
Administration of Estates Act Notices, Forms J187, 193, 197, 297, 517 and 519,	10,00

Insolvency Act and Company Act Notices: J.28, J.29. Forms 1 to 9	18,00	Trade marks in Namibia	47,00
N.B. - Forms 2 and 6 - additional statements according to word count table, added to the basic tariff.		Liquidators' and other appointees' notices	30,00
Change of name (two insertions)	128,00	SALES IN EXECUTION AND OTHER PUBLIC SALES:	
Naturalisation notices (including a reprint for the advertiser)	10,00	Sales in execution	77,00
Unclaimed moneys - only in the <i>Government Gazette</i> , closing date 15 January (per entry of "name, address and amount")	4,00	Public auctions, sales and tenders:	
Butcher's notices	21,00	Up to 75 words	26,00
Lost Life insurance policies	10,00	76 to 250 words	64,00
NON-STANDARDISED NOTICES		251 to 350 words	97,00
Company notices:		ORDERS OF THE COURT	
Short notices: Meetings, resolutions, offers of compromise, conversions of companies, voluntary windings-up, etc.: closing of members' registers for transfer and/or declarations of dividends	47,00	Provisional and final liquidations or sequestrations	59,00
Declaration of dividends with profit statements, including notices	106,00	Reduction of change in capital mergers, offers of compromise	142,00
Long notices: Transfers, changes in respect of shares or capital, redemptions, resolutions, voluntary liquidations	142,00	Judicial managements, <i>curator bonis</i> and similar and extensive <i>rule nisi</i>	142,00
		Extension of return date	18,00
		Supersession and discharge of petitions (J.158) ..	15,00

11. The charge for the insertion of advertisements other than the notices mentioned in paragraph 10 is at the rate of N\$4,00 per cm double column. (Fractions of a cm must be calculated as a cm).

12. No advertisements shall be inserted unless the charge is prepaid. Cheques, drafts, postal or money orders must be made payable to the Ministry of Justice, Private Bag 13302, Windhoek.

FORM J 187

LIQUIDATION AND DISTRIBUTION ACCOUNTS IN DECEASED ESTATES LYING FOR INSPECTION

In terms of section 35(5) of Act 66 of 1965, notice is hereby given that copies of the liquidation and distribution accounts (first and final, unless otherwise stated) in the estates specified below will be open for the inspection of all persons interested therein for a period of 21 days (or shorter or longer if specially stated) from the date specified or from the date of publication hereof, whichever may be the later, and at the offices of the Master and Magistrate as stated.

Should no objection thereto be lodged with the Master concerned during the specified period, the executor will proceed to make payments in accordance with the account.

98/99 VAN WYK Peter John Charles, 6603290800184, Erf No. 4651, Windhoek. Supplementary. First & Final. Windhoek. EV Bok & Associates, 49 John Meinert Street, PO Box 174, Windhoek.

455/96 VAN WYK David Cornelius, 4305150200161, 826 Geelsysie Street, Khomasdal, Windhoek. Aletta Van Wyk, 531004080017. Amended First & Final. Windhoek. Aletta Van Wyk c/o E.V. Bok & Associates, 49 John Meinert Street, Windhoek.

303/99 VON MOSCH Anna Louise Rosa, 2110170100081, Swakopmund, Windhoek. Standard Bank Namibia Ltd (Registered Bank), Trustee Branch, PO Box 2164, Windhoek, Namibia.

654/99 BORKERT Gertrud Marie, 130602010002, Swakopmund. Swakopmund, Windhoek. Standard Bank Namibia Ltd (Registered Bank), Trustee Branch, PO Box 2164, Windhoek, Namibia.

697/99 RÜGHEIMER Hans Karl, 3109190100348 Windhoek, Namibia. Windhoek. Klaus Nieft - Executor as nominee of Keller & Neuhaus Trust Co. (Pty) Ltd, PO Box 156, Windhoek.

762/99 AHRENS Sigrid Bertha, 27091800087, Farm Osroje, District Windhoek, Namibia. Windhoek. Klaus Nieft - Executor as nominee of Keller & Neuhaus Trust Co. (Pty) Ltd, PO Box 156, Windhoek.

FORM J 193

NOTICE TO CREDITORS IN DECEASED ESTATES

All persons having claims against the estates mentioned below are hereby called upon to lodge their claims with the executors concerned, within 30 days (or otherwise as indicated) calculated from the date of publication hereof. The information is given in the following order: Estate number, surname and Christian names, date of birth, identity number, last address, date of death; surviving spouse's names, surname, date of birth and identity number; name and address of executor or authorised agent, period allowed for lodgement of claims if other than 30 days.

225/2000 BASSON Johannes Marthinus, Windhoek. 10 February 1917, 17021000197, Outeniqua Street 4, Eros, Windhoek,

PO Box 785, Windhoek, Namibia, 18 February 2000. Levina Catharina Hendrina Basson, 16 May 1922, 22051600252. Tertius Etienne Basson, PO Box 785, Windhoek. T.E. Basson, PO Box 785, Windhoek.

507/99 OOSTHUIZEN Cornelis Erasmus, Windhoek. 12 March 1928, 2803125017082, Upington, RSA, 2 December 1998. Ernst August Kubirske - Agent for Executor, c/o Namibia Executors & Trustees (Pty) Ltd, PO Box 156, Windhoek.

230/2000 MAREE David Andries Gottlieb Georg, Windhoek. 1 September 1940, 4009015017087, Kombat, Namibia. 15 April 1999. Ernst August Kubirske - Executor, c/o Namibia Executors & Trustees (Pty) Ltd, PO Box 156, Windhoek.

NOTICE OF SURRENDER OF A DEBTOR'S ESTATE

Notice is hereby given that application will be made to the High Court of Namibia on **19 May 2000 at 10h00** or as soon thereafter as the matter can be heard, for the surrender of the estate of **Johann Robert Kurz** a major male trading as **FDS Auto Electrical, Mariental**, residing at **27, 2nd Avenue, Oranjemund**, and married in community of property to **Badriyah Kurz** (born **Moosa**), and that a statement of their affairs will lie for inspection at the Office of the Master of the High Court of Namibia, Windhoek and the Magistrate's Office, Mariental for a period of 14 days as from **April 2000**.

KIRSTEN & CO
HETTIE GARBERS-KIRSTEN
LEGAL PRACTITIONERS FOR APPLICANT
Lüderitz Street
Windhoek

FORM 1

APPOINTMENT OF TRUSTEES AND LIQUIDATORS AND PROOF OF CLAIMS IN SEQUESTERED ESTATES OR COMPANIES BEING WOUND UP

Pursuant to subsection (3) of section *fifty-six*, section *seventy-seven* and subsection (3) of section *forty* of the Insolvency Act, 1936, section 339, 366, 375 (5)(b) and 402 of the Companies Act, 1937, notice is hereby given that the persons mentioned below have been appointed trustee or liquidators, as the case may be, and that persons indebted to the estate or companies are required to pay their debts to them forthwith unless otherwise indicated.

Meetings of creditors of the said estate or companies will be held on the dates and the times and places mentioned below, for proof of claims against the estates or companies, for the purpose of receiving the trustees' or liquidators' reports as to the affairs and conditions of the estates or companies and for giving the trustees or liquidators directions concerning the sale of recovery or any matter relating to the administration thereof.

W50/99 **Insolvent Estate, E.W.A. Horr**. D.J. Bruni, Trustee, Investment Trust Co., (Pty) Ltd., P O Box 21204, Windhoek. **3 May 2000 at 10h00** before the Master of the High Court, Windhoek. Second General Meeting of Creditors. Investment Trust Co. (Pty) Ltd., P O Box 21204, Windhoek.

W39/99 **Insolvent Estate, F.J. Ludeke**. D.J. Bruni, Trustee, Investment Trust Co., (Pty) Ltd., P O Box 21204, Windhoek. **3 May 2000 at 10h00** before the Master of the High Court, Windhoek. Second General Meeting of Creditors. Investment Trust Co. (Pty) Ltd., P O Box 21204, Windhoek.

W19/99 **Insolvent Estate, J.M. Rossouw, t/a M & D Car**

Sales. D.J. Bruni, Trustee, Investment Trust Co., (Pty) Ltd., P O Box 21204, Windhoek. **3 May 2000 at 10h00** before the Master of the High Court, Windhoek. Second General Meeting of Creditors. Investment Trust Co. (Pty) Ltd., P O Box 21204, Windhoek.

W36/99 **Insolvent Estate, W.M. & H.J. Da Silva Mota**. D.J. Bruni, Trustee, Investment Trust Co., (Pty) Ltd., P O Box 21204, Windhoek. **3 May 2000 at 10h00** before the Master of the High Court, Windhoek. Second General Meeting of Creditors. Investment Trust Co. (Pty) Ltd., P O Box 21204, Windhoek.

W46/99 **Insolvent Estate, Marthinus Petrus Spangenberg**. D.J. Bruni, Trustee, Investment Trust Co., (Pty) Ltd., P O Box 21204, Windhoek. **3 May 2000 at 10h00** before the Master of the High Court, Windhoek. Second General Meeting of Creditors. Investment Trust Co. (Pty) Ltd., P O Box 21204, Windhoek.

W35/99 **Insolvent Estate, Y.A. & G.V. Duvenhage**. D.J. Bruni, Trustee, Investment Trust Co., (Pty) Ltd., P O Box 21204, Windhoek. **3 May 2000 at 10h00** before the Master of the High Court, Windhoek. Second General Meeting of Creditors. Investment Trust Co. (Pty) Ltd., P O Box 21204, Windhoek.

IN THE MAGISTRATE'S COURT FOR THE DISTRICT OF WINDHOEK

HELD AT WINDHOEK

CASE NO. 13183/99

In the matter between:

MUNICIPAL COUNCIL OF WINDHOEK

Plaintiff

and

K M LISWANI

Defendant

NOTICE OF SALE IN EXECUTION

Kindly take notice that pursuant to a Judgment of the above Honourable Court granted on **9 November 1999** and subsequent Warrant of Execution, the following property will be sold in execution at **10h00** on **20 April 2000** at the offices of the Magistrate, Lüderitz Street, Windhoek namely:

Erf No. 641 Doradopark also known as Erf No. 641,5 Princess Palm Street, Doradopark, Windhoek.

And take further notice that the Conditions of Sale will lie for inspection at the offices of the Messenger of the Court, Windhoek and contain *inter alia* the following provisions:

1. Ten percent of purchase price payable on date of sale.
2. Balance of purchase price plus interest to be guaranteed within 30 (Thirty) days of date of sale.
3. Possession subject to any Lease Agreement.
4. Reserve price to be read out at sale.

Dated at Windhoek on 23 March 2000.

KIRSTEN & CO.
1st Floor, NG Kerk Centre
Lüderitz Street
P O Box 4189
Windhoek

**IN THE MAGISTRATE'S COURT FOR THE DISTRICT
OF WINDHOEK
HELD AT WINDHOEK**

CASE NO. 7477/99

In the matter between:

MUNICIPAL COUNCIL OF WINDHOEK Plaintiff

and

O S SIMATAA Defendant

NOTICE OF SALE IN EXECUTION

Kindly take notice that pursuant to a Judgment of the above Honourable Court granted on **29 September 1999** and subsequent Warrant of Execution, the following property will be sold in execution at **10h00** on **27 April 2000** at the offices of the Magistrate, Lüderitz Street, Windhoek namely:

Erf No. 794 also known as Erf No. 794, Crater Street, Doradopark, Windhoek.

And take further notice that the Conditions of Sale will lie for inspection at the offices of the Messenger of the Court, Windhoek and contain *inter alia* the following provisions:

1. Ten percent of purchase price payable on date of sale.
2. Balance of purchase price plus interest to be guaranteed within 30 (Thirty) days of date of sale.
3. Possession subject to any Lease Agreement.
4. Reserve price to be read out at sale.

Dated at Windhoek on 29 March 2000.

KIRSTEN & CO.
1st Floor, NG Kerk Centre
Lüderitz Street
P O Box 4189
Windhoek

**IN THE MAGISTRATE'S COURT FOR THE DISTRICT
OF WINDHOEK
HELD AT WINDHOEK**

CASE NO. 17871/98

In the matter between:

MUNICIPAL COUNCIL OF WINDHOEK Plaintiff

and

L N NICODEMUS Defendant

NOTICE OF SALE IN EXECUTION

Kindly take notice that pursuant to a Judgment of the above Honourable Court granted on **12 November 1999** and subsequent Warrant of Execution, the following property will be sold in execution at **10h00** on **20 April 2000** at the offices of the Magistrate, Lüderitz Street, Windhoek namely:

Erf No. 1874 Khomasdal also known as Erf No. 1874, Elizabeth Street, Khomasdal, Windhoek.

And take further notice that the Conditions of Sale will lie for inspection at the offices of the Messenger of the Court, Windhoek and contain *inter alia* the following provisions:

1. Ten percent of purchase price payable on date of sale.
2. Balance of purchase price plus interest to be guaranteed within 30 (Thirty) days of date of sale.
3. Possession subject to any Lease Agreement.
4. Reserve price to be read out at sale.

Dated at Windhoek on 27 March 2000.

KIRSTEN & CO.
1st Floor, NG Kerk Centre
Lüderitz Street
P O Box 4189
Windhoek

IN THE HIGH COURT OF NAMIBIA

In the matter between:

COMMERCIAL BANK OF NAMIBIA LTD. Plaintiff

and

SWAMP HOLDINGS (PTY) LTD First Defendant
PIERRE BENREIN LATEGAN Second Defendant

**NOTICE OF SALE IN EXECUTION
OF IMMOVABLE PROPERTY**

In execution of a Judgment of the above Honourable Court in the above mentioned suit, a sale will be held on **Friday, 12 May 2000** at **14h00** at the Magistrate's Office, Gobabis, of the under-mentioned immovable property of the First Defendant:

CERTAIN: Erf No. 288, Witvlei

SITUATED: In the Municipality of Gobabis (Registration Division "L")

MEASURING: 6 094 (Six Nil Nine Four) Square metres

HELD: By Deed of Transfer No. T 2866/1992

DESCRIPTION: The following improvements are on the property (although nothing in this respect is guaranteed). The building being a single story hotel comprising of 6 rooms, 2 public toilets, 1 kitchen, 1 guest ablution block, 3 garages. The outbuilding comprising of labourers houses and there is a house at the back of the hotel.

The property shall be sold by the Deputy Sheriff of Gobabis subject to the Conditions of Sale that may be inspected at the Offices of the Deputy Sheriff to the highest bidder on the auction with a reserve price of N\$100 000,00 subject to confirmation by the bondholder within 7 (seven) days from date of auction.

10% of the purchase price to be paid in cash on the date of the sale, the balance to be paid against transfer, to be secured by a Bank or Building Society or other acceptable guarantee to be furnished to the Deputy Sheriff within 14 (fourteen) days after the date of sale.

The full Conditions of Sale will be read out by the Deputy Sheriff on the day of the sale, but may be inspected at any time prior to the sale at the offices of the Deputy Sheriff or at the office of the Plaintiff's attorneys.

Dated at Windhoek this 15th day of March 2000.

H.B. GERDES
ENGLING, STRITTER & PARTNERS
LEGAL PRACTITIONERS FOR PLAINTIFF
5th Floor, Namdeb Centre
Bülow Street
Windhoek

IN THE HIGH COURT OF NAMIBIA

In the matter between:

**FIRST NATIONAL BANK
OF NAMIBIA LIMITED** Plaintiff

and

MARTHA HARRIS Defendant

NOTICE OF SALE IN EXECUTION OF IMMOVABLE PROPERTY

In execution of a Judgment of the above Honourable Court in the abovementioned suit, a sale will be held on **11 May 2000 at 12h00** at the premises of the undermentioned property of the Defendant.

CERTAIN: Erf No. 707 KHOMASDAL (Extension 8)

SITUATE: In the Municipality of Windhoek
(Registration Division "K")

MEASURING: 276 Square Metres

The following improvements are on the property (although nothing in this respect is guaranteed). 2 Bedrooms, 1 Bathroom, Kitchen, Lounge/Diningroom.

1. The Sale is subject to provisions of the High Court Act No. 16 of 1990, as amended, and the property will be sold "voetstoots" according to the existing title deed.
2. The property shall be sold by the Deputy Sheriff of Windhoek to the highest bidder.
3. 10% of the purchase price is to be paid in cash on the date of sale, the balance together with interest at a rate equal to the prime lending rate of the Plaintiff from time to time plus 5% as from the date of sale in execution to date of registration, both dates inclusive, is to be paid against transfer, to be secured by a Bank or Building Society or other acceptable guarantee to be furnished to the Deputy Sheriff within fourteen (14) days after the date of the sale in execution.
4. The complete Conditions of Sale will be read out at the time

of the sale, but may be inspected beforehand at the offices of the Deputy Sheriff or First National Bank Windhoek or at the offices of the Plaintiff's Attorneys at the undermentioned address.

Dated at Windhoek on this 7th day of April 2000.

T.J.A. LOUW
THEUNISSEN, LOUW & PARTNERS
4th Floor, Nimrod Building
Kasino Street
Windhoek

IN THE MAGISTRATE'S COURT CASE NO. 7201/99 OF NAMIBIA

In the matter between:

STANDARD BANK NAMIBIA LTD Plaintiff

and

T. HAIMBODI Defendant

NOTICE OF SALE IN EXECUTION

Pursuant to a Judgment of the above Honourable Court granted on **15 December 1999**, the following immovable property will be sold "voetstoots" by the Messenger of the Court for the District of Windhoek on **Wednesday, 10 May 2000, at 10h00** on the steps at the Magistrate's Court, Windhoek.

CERTAIN: Erf 7839, Bahama Street, Katutura,
Windhoek

SITUATE: In the Municipality of Windhoek

RESERVE PRICE: N\$153 200,00 plus interest at 20% as
from 29 February 2000 to date of
payment and Messenger's fees.

The "Conditions of Sale in Execution" will lie for inspection at the Messenger of the Court in Windhoek, and at the Head Office of Plaintiff in Windhoek at Plaintiff's Attorneys, A Vaatz & Partners, at the undermentioned address.

Dated at Windhoek this 27th day of March 2000.

A VAATZ & PARTNERS
PER: H. DUVENHAGE
ATTORNEY FOR PLAINTIFF
66 Bismarck Street
Windhoek

PROPERTY FOR SALE

Upon instructions from the Agricultural Bank of Namibia, the Deputy Sheriff Grootfontein will sell by public auction on **19 May 2000 at 10h00** in front of the Magistrate's Office at Grootfontein the following property "voetstoots" as it stands subject to all servitudes and conditions specified in the title deed:

CERTAIN: Farm Soverby No. 901
Registration Division "B"
District Grootfontein

MEASURING: 5701, 0224 hectares

HELD BY: Deed of Transfer No. T 5380/1995 in the name of Herman Veldman Opperman and Paula Christina Opperman

SITUATED: 107 km north east of Grootfontein

ALLEGED IMPROVEMENTS:

Residential facilities, 4 cultivated lands, 18 grazing camps with water, 1 shed, verandah, engine room, 6 storerooms, 3 labourers houses and stockproof ringfenced.

CONDITIONS OF SALE:

The purchaser will be obliged to payment of at least one-fifth of the purchase-price plus all costs in connection with the sale on the fall of the hammer in cash or by means of a bank guaranteed cheque.

The balance purchase-price plus 15% interest per annum thereon from the date of sale to date of payment shall be payable to the Bank within 3 months after the date of sale. The Board of the Bank reserves the right to amend the above interest rate from time to time without consent as circumstances may require.

The purchaser is also liable for the payment of all expenses as may be necessary to register transfer in his name including stamp duty on the transfer and any other costs.

Prospective purchasers must ascertain themselves beforehand that they are competent to take Transfer of the property in terms of Section 58 of the Agricultural (Commercial) Land Reform Act, 1995 (Act 6 of 1995) read with the definition with reference to "foreign National".

The Bank reserves the right at any time to withdraw from the sale any property which is offered for sale.

FINANCING IS AVAILABLE

Enquiries:

- a) **WRITTEN:** To: The Managing Director
Agricultural Bank of Namibia
Private Bag 13208
Windhoek
Namibia
- b) **TELEPHONE:** To: Mr H K Richter: Legal Affairs
Telephone number: (061)
2074270

Any person who objects to my assumption of the said surname of **NEKANDA** should as soon as may be lodge his or her objection, in writing, with a statement of his or her reasons therefore, with the Magistrate of Windhoek.

(Signed) G. BIOFILIU
P O Box 61340
Katutura

THE ALIENS ACT, 1937

**NOTICE OF INTENTION OF CHANGE
OF SURNAME**

I, **VICTORIA ITOOLWA** residing at Erf No. 0440, Oshakati, and employed at Health and Social Services intend applying to the Minister of Home Affairs for authority under section 9 of the Aliens Act, 1937, to assume the surname **NDADI** for the reasons that **ITOOLWA** is my cousin's surname.

I previously bore the name(s) **VICTORIA ITOOLWA**.

Any person who objects to my assumption of the said surname of **NDADI** should as soon as may be lodge his or her objection, in writing, with a statement of his or her reasons therefore, with the Magistrate of Windhoek.

(Signed) V. ITOOLWA
P O Box 1122
Oshakati

THE ALIENS ACT, 1937

**NOTICE OF INTENTION OF CHANGE
OF SURNAME**

I, **GONSALU BIOFILIU** residing at Erf No. 2354, Kigali Street, Wanaheda, and self-employed intend applying to the Minister of Home Affairs for authority under section 9 of the Aliens Act, 1937, to assume the surname **NEKANDA** for the reasons that **BIOFILIU** is my father's first name, but should be **PORFIRIO**.

I previously bore the name(s) **GONSALU BIOFILIU**.