

Masters Reference : G207/08

***BLACK TOP PLANT COMPANY (PTY) LIMITED
(IN LIQUIDATION)***

SECOND LIQUIDATION

and

DISTRIBUTION ACCOUNT

Date of Special Resolution: 4 March 2008

Tel (011) 991 5500
Fax (011) 991 5506
E-mail : hansk@corprecover.co.za

PO Box 21341, Helderkruijn, 1733
Unit B5, Clearview Office Park, 77 Wilhelmina
Road, Constantia Kloof, Roodepoort

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

**BLACK TOP PLANT COMPANY (PTY) LTD (IN LIQUIDATION)
SECOND LIQUIDATION & DISTRIBUTION ACCOUNT
MASTERS REFERENCE NUMBER G 207/08**

INDEX

<u>PAGE NO</u>	<u>DESCRIPTION</u>	<u>SCHEDULE</u>
1 - 4	Liquidation Account	
5	Calculations	A
6	Interest and Bank Charges	B
7	VAT payable to the Receiver	C
8	Apportionment	D
9 - 12	Distribution Account	
13 - 17	Signed Affidavits by Joint Liquidators	
18 - 40	Vouchers 1 to 23	
41	Bank Statements	

BLACK TOP PLANT COMPANY (PTY) LTD (IN LIQUIDATION)

SECOND LIQUIDATION & DISTRIBUTION ACCOUNT

MASTERS REFERENCE NUMBER 6 207/08

Bank Reconciliation					
Date	Bank Reconciliation	[R]	Voucher	[R]	[R]
Income					
	Balance at Estate Account				3,550,581.93
	ABSA 407 126 6390	532,251.99	1/7/2010		
	ABSA 206 993 9371	1,018,329.94	5/5/2010		
	ABSA 207 041 7186	1,500,000.00			
	RMB	500,000.00			
Expenses to be paid					
	Master's fees			0.00	
	Liquidator's fees:			460,562.51	
	Free Residue	382,373.33			
	Enc.Asset no.1	0.00			
	Enc.Asset no.2	78,189.18			
	VAT thereon			64,478.75	
	Receiver of Revenue		"C"	619,374.54	
	VAT	418,516.79			
	Income Tax	200,857.75			
Awards:					
	Wesbank			0.00	
	Award	607,680.82			
	Amount retained	-607,680.82			
	Free Residue Balance carried over to 3rd Account			2,406,166.12	
			0.00	3,550,581.93	3,550,581.93

MASTERS REFERENCE NUMBER 6 207/08

Free Residue Account					
Date	Free Residue Account	[R]	Voucher	[R]	[R]
	Income				
	Amount b/f from 1st account				480,131.99
	Interest earned per apportionment		"D"		798,211.30
	Debtor collected		1		806,629.82
	Recover of costs		2		93,100.00
	Sale of movable assets		3		131,670.00
	Sale of vehicles		4		1,994,122.20
	2003 Mazda 2500 TD	38,760.00			
	2003 Ford Ranger 2500 LWB	37,620.00			
	2003 Ford Ranger 2500 LWB	34,200.00			
	2003 Crysler 2.TD Cherokees	66,210.00			
	2003 Toyota corolla 1800 GL	57,000.00			
	2004 Colt 3.0 L Club Cab	39,900.00			
	2004 35 Ton Tridem Axle Folding Trailer	427,500.00			
	2000 Toyota Hilux Bakkie	0.00			
	Ford Ranger 2500 TD LWB	33,060.00			
	Ford Ranger 2500 TD LWB	41,040.00			
	2.5 ton Diesel Toyota Forklift	59,850.00			
	Ford Ranger 2500 TD LWB	69,540.00			
	Bell Model 770C Motor Grader	380,000.00			
	Toyota Hilux 2.0 SWB	34,200.00			
	Man 26-422 6X4	245,100.00			
	Nissan CW Series	105,450.00			
	Komatsu WA 120	79,800.00			
		1,749,230.00			
	VAT on vehicles	244,892.20			
	Expenses				
	Storage			29,070.00	
		5,130.00	5		
		3,420.00	6		
		3,420.00	7		
		5,130.00	8		
		6,840.00	19		
		1,710.00	20		
		3,420.00	21		
	Liquidator's fees			382,373.33	
	10 % on interest	79,821.13			
	10 % on debtor collected	80,662.98			
	10 % on costs recovered	9,310.00			
	10 % on movable assets	13,167.00			
	10 % on sale of motor vehicles	199,412.22			
	Vat thereon			53,532.27	
	Taxed Bill of cost (1/3 of Bill)			4,639.00	
	Pagel Schulenberg Inc	4,639.00	9		
				469,614.60	4,303,865.31

BLACK TOP PLANT COMPANY (PTY) LTD (IN LIQUIDATION)

SECOND LIQUIDATION & DISTRIBUTION ACCOUNT

MASTERS REFERENCE NUMBER 6 207/08

	Balance b/f			469,614.60	4,303,865.31
	D&t refund	9,733.74	11	12,695.44	
		2,961.70	23		
	Flexi Movers		12	4,800.00	
	Courier & postage costs		13	625.00	
	Vrystaat Prov Admin - Licences		14	24,705.90	
	Realisation Expenses		3	79,697.00	
	Commission	22,515.00	3		
	Towing charges	7,182.00	3		
	ADB Autobody	20,000.00	3		
	ADB Panelbeaters	30,000.00	3		
	Bank charges as per Schedule "B"			1,041.06	
	Bond of security per apportionment		"D"	570,000.00	
	Q-Ing Services		16	808.75	
	Amakhozi Spectrum		17	199,412.22	
	Receiver of Revenue		"C"	534,299.23	
	Balance carried over to 3rd Account			2,406,166.11	
				4,303,865.31	4,303,865.31

BLACK TOP PLANT COMPANY (PTY) LTD (IN LIQUIDATION)
SECOND LIQUIDATION & DISTRIBUTION ACCOUNT
MASTERS REFERENCE NUMBER 6 207/08

Encumbered Asset Account 2					
Dealing with the proceeds of the sale of motor vehicles all subject to the Wesbank, encumbered under instalment sale agreements					
Date	Encumbered Asset Account 2	[R]	Voucher	[R]	[R]
	Sale of vehicles		15		781,891.80
	2002 Ingersol Rand Roller Pact	235,000.00	Claim 85		
	2002 Ingersol Rand Roller Pact	330,600.00	Claim 78		
	2003 Ford Ranger 2500 TD	42,180.00	Claim 86		
	2003 Ford Ranger 2500 TD	46,170.00	Claim 77		
	2003 Ford Ranger 2500 TD	31,920.00	Claim 75		
		685,870.00			
	VAT on vehicles	96,021.80			
	Interest earned per apportionment		"D"		0.00
	Expenses				
	Masters Fees		"D"	0.00	
	Liquidator's fees			78,189.18	
	10% on Realization	78,189.18			
	10 % on interest	0.00			
	Vat thereon			10,946.49	
	Bond of security per apportionment		"D"	0.00	
	Receiver of Revenue		"C"	85,075.31	
	Award			607,680.82	
				781,891.80	781,891.80

BLACK TOP PLANT COMPANY (PTY) LTD (IN LIQUIDATION)
SECOND LIQUIDATION & DISTRIBUTION ACCOUNT
MASTERS REFERENCE NUMBER 6 207/08

SCHEDULE "A"- CALCULATIONS					
Date	Schedule "A"	[R]	Voucher	[R]	[R]
	<u>Realizations</u>				
	Free residue				2,932,422.02
	Encumbered Asset no.1				0.00
	Encumbered Asset no.2				781,891.80
	Interest Earned @ Schedule"B"				798,211.30
					4,512,525.12
	<u>Master's fees</u>				
	Maximum already paid in 1st account			0.00	
	<u>Park Brokers</u>				
	Bond of security				
	Period 4/2009 to 4/2010		18	285,000.00	
	Period 4/2010 to 4/2011		22	285,000.00	
				570,000.00	

BLACK TOP PLANT COMPANY (PTY) LTD (IN LIQUIDATION)
SECOND LIQUIDATION & DISTRIBUTION ACCOUNT
MASTERS REFERENCE NUMBER 6 207/08

SCHEDULE "B"- INTEREST AND BANK CHARGES					
Date	Schedule "B"	[R]	Voucher	[R]	[R]
		Interest			Bank charges
		Current	RMB Call	Absa Call	Cheques
Apr-09	Statement number 12	4,214.09		63,916.49	57.00
May-09	Statement number 13	5,027.51		66,171.66	57.00
Jun-09	Statement number 14	6,427.07		94,061.89	188.09
Jul-09	Statement number 15	2,915.44		527,391.98	57.00
Aug-09	Statement number 16	1,380.37			64.99
Sep-09	Statement number 17	520.88			57.00
Oct-09	Statement number 18	282.78			57.00
Nov-09	Statement number 19	291.25			54.18
Dec-09	Statement number 20	279.27			37.50
Jan-10	Statement number 21	288.07			37.50
Feb-10	Statement number 22	199.07			57.20
Mar-10	Printout	67.49			39.20
Apr-10	Printout	86.45		18,329.94	39.20
May-10	Printout	84.11			39.20
Jun-10	Printout	67.03			39.20
Jul-10	Printout	3,312.86			57.20
Sub total		25,443.74	0.00	769,871.96	1,041.06
TOTAL		798,211.30			1,041.06

BLACK TOP PLANT COMPANY (PTY) LTD (IN LIQUIDATION) SECOND LIQUIDATION & DISTRIBUTION ACCOUNT MASTERS REFERENCE NUMBER 6 207/08	
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Schedule "C"							

<u>at Payable to the Receiver</u>							

<u>Account</u>	<u>Proceeds</u>	<u>Output</u>	<u>Input</u>	<u>Vat</u>	<u>Tax</u>	<u>Total</u>	
Free Residue:							
Debtor Collected	806,629.82	0.00					
Recovery of costs	93,100.00	11,433.33					
Sale of motor vehicles	131,670.00	16,170.00					
Sale of motor vehicles	1,994,122.20	244,892.20					
Storage	29,070.00		3,570.00				
Liquidator's fees	435,905.60		53,532.27				
Taxed Bill of cost (1/3 of Bill)	4,639.00		569.70				
Security for costs	500,000.00		0.00				
D&t refund	12,695.44		1,559.09				
Flexi Movers	4,800.00		589.47				
Courier and postage	625.00		76.75				
Licence fees	24,705.90		0.00				
Realisation costs	79,697.00		9,787.35				
Bank charges as per Schedule "B"	1,041.06		127.85				
Bond of security	570,000.00		70,000.00				
Q-ing Services	808.75		99.32				
	4,689,509.77	272,495.53	139,911.81	132,583.73	200,857.75	333,441.48	

Encumbered Asset Number 2:							
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Sale of motor vehicles	781,891.80	96,021.80				
Liquidator's fees	89,135.67		10,946.49			
Board of Security per apportionment	0.00		0.00			
	871,027.47	96,021.80	10,946.49	85,075.31	0.00	85,075.31

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Income Tax on post liquidation Income						
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	Interest Accrued	Less: Liq. Fees	Less Bank Ch.	Taxable Income	Tax @ 28%	
Free Residue	798,211.30	-79,821.13	-1,041.06	717,349.11	200,857.75	.
Enc Assets No 1	0.00	0.00	0.00	0.00	0.00	.
Enc Assets No 2	0.00	0.00	0.00	0.00	0.00	
	798,211.30	-79,821.13	-1,041.06	717,349.11	200,857.75	

BLACK TOP PLANT COMPANY (PTY) LTD (IN LIQUIDATION)
SECOND LIQUIDATION & DISTRIBUTION ACCOUNT
MASTERS REFERENCE NUMBER 6 207/08

SCHEDULE "D": APPORTIONMENT			
	Realizations	Bond of Security	Masters fees
Free Residue	3,730,633.32	570,000.00	0.00
EA 1	0.00	0.00	0.00
EA 2	0.00	0.00	0.00
	3,730,633.32	570,000.00	0.00
	Realizations	Interest Earned	
Free Residue	2,932,422.02	798,211.30	
EA 1	0.00	0.00	
EA 2	0.00	0.00	
	2,932,422.02	798,211.30	

		Distribution Account																
Claim	Creditors's Particulars	Particulars	Total Amount	Secured	Preferent	Secured	Secured	Secured	CC	Deficiency								
No		of Claim	of Claim	Claim	Claim	1st acc	2nd acc	Award										
1	Tosas (Pty) Limited P O Box 14159 WADEVILLE 1422	Unlimited Suretyship for the indebtness of Black Top Surfaces (Pty) Limited Interest on claim	20,300,589.96 3,799,306.06	24,099,896.02	0.00	24,099,896.02	0.00	0.00		0.00								
2-68	<i>Claims withdrawn at meeting of creditors, not submitted for proof</i>																	
69	Wesbank, A Division of First Rand Bank P O Box 1066 JOHANNESBURG 2000	Instalment Sale Agreement CNX01125W Mercedes Benz ATEGO 1017/48(S)	317,280.76	317,280.76	0.00	0.00	0.00	0.00	0	317,280.76								
70	Wesbank, A Division of First Rand Bank P O Box 1066 JOHANNESBURG 2000	Instalment Sale Agreement CNX01124X Ford Ranger 2.5 STD XL	152,487.93	152,487.93	0.00	0.00	0.00	0.00	0	152,487.93								
71	Wesbank, A Division of First Rand Bank P O Box 1066 JOHANNESBURG 2000	Instalment Sale Agreement CNX01123A Ford Ranger 2.5 TD BAS	186,814.94	186,814.94	0.00	0.00	0.00	0.00	0	186,814.94								
72	Wesbank, A Division of First Rand Bank P O Box 1066 JOHANNESBURG 2000	Instalment Sale Agreement CNX01122B Jaguar X-Type 3L	342,334.17	342,334.17	0.00	0.00	0.00	0.00	0	342,334.17								
73	Wesbank, A Division of First Rand Bank P O Box 1066 JOHANNESBURG 2000	Instalment Sale Agreement CNX01121E Hino Profia 45-350	525,632.21	525,632.21	0.00	0.00	0.00	0.00	0	525,632.21								
	Subtotal		25,624,446.03	25,624,446.03	0.00	24,099,896.02	0.00	0.00	0.00	1,524,550.01								

BLACK P PLANT COMPANY (PTY) LTD (IN LIQUIDATION)
SECOND LIQUIDATION & DISTRIBUTION ACCOUNT
MASTERS REFERENCE NUMBER 6 207/08

Distribution Account											
Claim	Creditors's Particulars	Particulars	Total Amount	Secured	Preferent	Secured	Secured	Secured	CC	Deficiency	
No		of Claim	of Claim	Claim	Claim	Award	Award	2nd acc	Award		
		Balance carried forward	25,624,446.03	25,624,446.03	0.00	24,099,896.02	0.00	0.00	0.00	1,524,550.01	
74	Wesbank, A Division of First Rand Bank	Instalment Sale Agreement	129,273.41	129,273.41	0.00	0.00			0	129,273.41	
	P O Box 1066 JOHANNESBURG	CNX01120H									
		2.5 Ton Diesel Forklift									
	2000										
75	Wesbank, A Division of First Rand Bank	Instalment Sale Agreement	178,229.24	178,229.24	0.00	0.00	125,334.85		0	178,229.24	
	P O Box 1066 JOHANNESBURG	CNX0119S									
		Ford Ranger 2500 TD LWB									
	2000										
76	Wesbank, A Division of First Rand Bank	Instalment Sale Agreement	111,939.26	111,939.26	0.00	0.00			0	111,939.26	
	P O Box 1066 JOHANNESBURG	CNX01118T									
		ETNYRE CHIPREADER									
	2000										
77	Wesbank, A Division of First Rand Bank	Instalment Sale Agreement	178,229.24	178,229.24	0.00	0.00	125,334.85		0	178,229.24	
	P O Box 1066 JOHANNESBURG	CNX01117W									
		Ford Ranger 2500TD LWB									
	2000										
78	Wesbank, A Division of First Rand Bank	Instalment Sale Agreement	278,977.18	278,977.18	0.00	0.00	196,183.08		0	278,977.18	
	P O Box 1066 JOHANNESBURG	CNX01114B									
		Ingersoll Rand PT 270 Roller									
	2000										
79	Wesbank, A Division of First Rand Bank	Instalment Sale Agreement	250,527.24	250,527.24	0.00	0.00	0.00		0	250,527.24	
	P O Box 1066 JOHANNESBURG	CNX01113E									
		Vogele Model MT1000									
	2000	Mobile Fee									
		Subtotal	26,751,621.60	26,751,621.60	0.00	24,099,896.02	446,852.78		0.00	2,651,725.58	

BLACK TOP PLANT COMPANY (PTY) LTD (IN LIQUIDATION)
SECOND LIQUIDATION & DISTRIBUTION ACCOUNT
MASTERS REFERENCE NUMBER 6 207/08

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BLACK T. PLANT COMPANY (PTY) LTD (IN LIQUIDATION)
SECOND LIQUIDATION & DISTRIBUTION ACCOUNT
MASTERS REFERENCE NUMBER 6 207/08

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**BLACK TOP PLANT COMPANY (PTY) LTD (IN LIQUIDATION)
SECOND LIQUIDATION & DISTRIBUTION ACCOUNT
MASTERS REFERENCE NUMBER G 207/08**

LIQUIDATOR'S AFFIDAVIT

Section 403(2) of the Companies Act 61 of 1973 ("the Act")

We, the undersigned,

**JOHANNES FREDERICK KLOPPER;
THEODOR WILHELM VAN DEN HEEVER;
ENVER MOMAMED MOTALA;
KGASHANE CHRISTOPHER MONYELA &
CORNELIA MARIA CLOETE**

the joint liquidators of the company, do hereby make oath and say that the foregoing contains a full and true account of our administration of the company to date hereof and that all the assets of the company, realised to date, have been dealt with and reflected correctly in this account. The only outstanding matter is the location of- and realisation of missing vehicles.


JF KLOPPER

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 30 day of July 2010, 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:

**ANGELENE COLE
COMMISSIONER OF OATHS (RSA)
9/1/8/2 Randburg
21-7th Avenue Parktown North 2193**

**BLACK TOP PLANT COMPANY (PTY) LTD (IN LIQUIDATION)
SECOND LIQUIDATION & DISTRIBUTION ACCOUNT
MASTERS REFERENCE NUMBER 6 207/08**

LIQUIDATOR'S AFFIDAVIT

Section 403(2) of the Companies Act 61 of 1973 ("the Act")

We, the undersigned,

**JOHANNES FREDERICK KLOPPER;
THEODOR WILHELM VAN DEN HEEVER;
ENVER MOMAMED MOTALA;
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T W VAN DEN HEEVER

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 Florida on the 17 day of August 2009, 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:

LEONI URSULA NEL
Commissioner of Oaths
Level P1, Flora Centre
Ontdekkers Road, Florida Hills
21 December 2007 Ref No. 9/1/8/2 Roodepoort

**BLACK TOP PLANT COMPANY (PTY) LTD (IN LIQUIDATION)
SECOND LIQUIDATION & DISTRIBUTION ACCOUNT
MASTERS REFERENCE NUMBER 6 207/08**

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Section 403(2) of the Companies Act 61 of 1973 ("the Act")

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THEODOR WILHELM VAN DEN HEEVER;
ENVER MOMAMED MOTALA;
KGASHANE CHRISTOPHER MONYELA &
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E M MOTALA

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 Rosebank on the 20 day of AUGUST 2009, 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:

**BLACK TOP PLANT COMPANY (PTY) LTD (IN LIQUIDATION)
SECOND LIQUIDATION & DISTRIBUTION ACCOUNT
MASTERS REFERENCE NUMBER 6 207/08**

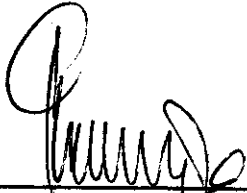
LIQUIDATOR'S AFFIDAVIT

Section 403(2) of the Companies Act 61 of 1973 ("the Act")

We, the undersigned,

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THEODOR WILHELM VAN DEN HEEVER;
ENVER MOMAMED MOTALA;
KGASHANE CHRISTOPHER MONYELA &
CORNELIA MARIA CLOETE**

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K C MONYELA

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 on the day of 2009, 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: LESLEY RAMULHFO

Business Address: 103 Proviusus Building, 523 Church Street, Arcadia, Pretoria

Office: RAMULHFO INC

**BLACK TOP PLANT COMPANY (PTY) LTD (IN LIQUIDATION)
SECOND LIQUIDATION & DISTRIBUTION ACCOUNT
MASTERS REFERENCE NUMBER 6 207/08**

LIQUIDATOR'S AFFIDAVIT

Section 403(2) of the Companies Act 61 of 1973 ("the Act")

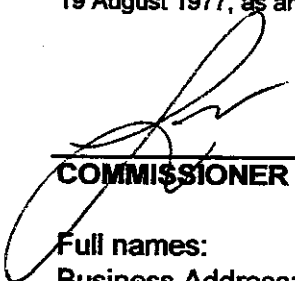
We, the undersigned,

**JOHANNES FREDERICK KLOPPER;
THEODOR WILHELM VAN DEN HEEVER;
ENVER MOMAMED MOTALA;
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C M CLOETE

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 4 day of August 2008, 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:

**RUDOLPH LOUW
KOMMISSARIS VAN EDE
COMMISSIONER OF OATHS
PRAKTISERENDE PROKUREUR RSA
PRACTISING ATTORNEY RSA
74 GENL KOCK ROAD/WEG 74
MENLO PARK
PRETORIA
Tel 012 346 5942**