

REPUBLIC OF KENYA



KENYA NATIONAL ASSEMBLY

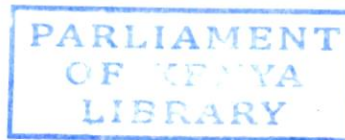
Telegraphic Address
"Bunge", Nairobi
Telephone 2221291/2848000
Fax: 2243694
E-mail: clerk@parliament.go.ke
When replying please quote

CLERK'S CHAMBERS
National Assembly
Parliament Buildings
P.O. Box 41842-00100
NAIROBI, Kenya

KNA/DCL/CORR/2014(99)

6th November, 2014

Mr. Tom Aziz Chavangi
Chief Executive
National Land Commission
Ardhi House
NAIROBI



Dear Sir

RE: DEPARTMENTAL COMMITTEE ON LANDS- SUBMISSIONS ON KAREN LAND

Reference is made to a sitting of the Committee held on Tuesday 28th October 2014 in which you were in attendance.

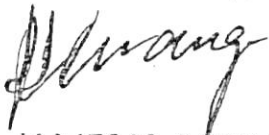
As you will recall the Chairman, National Land Commission made submissions based on information he had received from Muchanga Investment Ltd regarding the subject matter while alluding that the land in dispute belonged to the said company. You will further recall that the Chairman undertook to submit his brief together with the documents he referred to during his presentation before the end of business on 28th October 2014.

It is noted that the said documents have not been submitted to the Committee to-date and you are reminded to submit the following documents among others:-

1. Copies of letters and documents from Muchanga Investments Ltd to the NLC proving ownership of the land;
2. A Copy of the lease on the land and the deed plans which Muchanga Investment Ltd presented to the Commission;
3. Transfer documents/receipts of payment for the land by the said Company;
4. Application for subdivision from Muchanga Investment and subsequent approvals;
5. Copies of documents showing the cancellation of the deed plans;
6. Copies of letters from the NLC to the Director of Survey, Director of Physical planning, records office and Registrar of titles requesting for information and responses received if any;
7. Any other information/document which is relevant on the subject matter.

This is therefore to request you to submit the said information by Thursday, 13th November 2014.

Yours faithfully,



JAMES N. MWANGI

FOR: CLERK OF THE NATIONAL ASSEMBLY

Copy to:

Dr. Mohammed Swazuri,
Chairman,
National Land Commission,
Ardhi House, Ngong Road
NAIROBI

REPUBLIC OF KENYA

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National Assembly
Clerk's Chambers
Parliament Buildings
P.O. Box 41842-00100
NAIROBI, Kenya

KNA/DCL/CORR/2014(98)

6th November, 2014

Mr. Ndegwa Muhoro (1)
Director
Criminal Investigations Department
Kiambu Road, Muthaiga
NAIROBI

Dear Sir,

RE: MEETING WITH THE DEPARTMENTAL COMMITTEE ON LANDS

The Departmental Committee on Lands was constituted on 16 May 2013, pursuant to provisions of the Standing Order 216 (1) and (5) of the National Assembly and is mandated amongst other things:-

"to study, assess and analyse the relative success of the Ministries and Departments, as measured by the results obtained as compared with their stated objectives and investigate and inquire into all matters relating to the assigned Ministries and Departments as they may deem necessary, and as they may be referred to it by the House".

During its sitting held on Tuesday 4th November 2014, the Committee received submissions from the Cabinet Secretary for Lands, Housing and Urban Development on the matter regarding the disputed 134 acre piece of land in Karen LR No. 3586. The Committee was informed that the Criminal Investigations Department is in possession of the original Grant deed for the said piece of Land for purposes of on-going investigations and therefore the same is not in possession of the Ministry.

The Committee further noted the parallel investigations being conducted by various government agencies on the matter and resolved to invite the Director, Criminal Investigations Department for a meeting on Tuesday 18th November, 2014 with a view to updating the Committee on the progress made so far and specifically address the following issues among others:

1. The real owners of Muchanga Investments Company limited and Telesource.com limited;
2. Subdivision approvals for Telesource.com limited;
3. The original grant document of the said land/ Grant Survey plans and the corresponding deed plan copies;
4. How the said land was transferred from the original owner to the Current

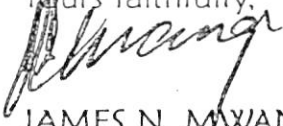
0734 665 665

owner;

5. Proof of acquisition of the land by Muchanga Investments from Barclays Bank in 1983;
6. The proof of acquisition of the said land by telesource.com Ltd and the date they came into existence and the subsequent acquisition of the said land by Telesource.com;
7. Any other information as may be relevant.

This is therefore to request you to attend the said meeting which will be held on Tuesday 18th November, 2014 in Committee Room on 4th Floor Protection House at 10.00 am.

Yours faithfully,



JAMES N. MWANGI

FOR: CLERK OF THE NATIONAL ASSEMBLY

REPUBLIC OF KENYA

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National Assembly
Clerk's Chambers
Parliament Buildings
P.O. Box 41842-00100
NAIROBI, Kenya

KNA/DCL/CORR/2014(96)

6th November, 2014

Mr. Halakhe Dida Waqo
Chief Executive Officer
Ethics and Anti Corruption Commission
Integrity Centre
Milimani /Valley Road Junction
NAIROBI

Dear Sir,

RE: MEETING WITH THE DEPARTMENTAL COMMITTEE ON LANDS

The Departmental Committee on Lands was constituted on 16 May 2013, pursuant to provisions of the Standing Order 216 (1) and (5) of the National Assembly and is mandated amongst others:-

"to study, assess and analyse the relative success of the Ministries and Departments, as measured by the results obtained as compared with their stated objectives and investigate and inquire into all matters relating to the assigned Ministries and Departments as they may deem necessary, and as they may be referred to it by the House".

During its sitting held on Tuesday 4th November 2014, the Committee received submissions from the Cabinet Secretary for Lands, Housing and Urban Development on the matter regarding the disputed 134 acre piece of land in Karen LR No. 3586. The Committee was informed that the Ethics and Anti-Corruption Commission (EACC) is already investigating the matter and is in possession of the original Grant deed for the said piece of Land for purposes of on-going investigations and therefore the same is not in possession of the Ministry.

Consequently, the Committee resolved to invite the Chairman of EACC for a meeting on Tuesday 18th November, 2014 to report progress on the investigation and specifically on the following matters among others:-

1. The real owners of Muchanga Investments Company limited and Telesource.com limited;
2. Subdivision approvals for Telesource.com limited;
3. The original grant document of the said land/ Grant Survey plans and the

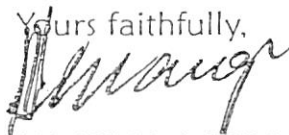
Rutiny

corresponding deed plan copies;

4. How the said land was transferred from the original owner to the Current owners;
5. Proof of acquisition of the land by Muchanga Investments from Barclays Bank in 1983;
6. The proof of acquisition of the said land by telesource.com Ltd and the date they came into existence and the subsequent acquisition of the said land by Telesource.com;
7. Any other information as may be relevant.

This is therefore to request you to inform the Chairman to attend the said meeting which will be held in Committee Room on 4th Floor Protection House at 10.00 am.

Yours faithfully,



JAMES N. MWANGI

FOR: CLERK OF THE NATIONAL ASSEMBLY

Copy to:

Mr. Mumo Matemu, MBS
Chairman
Ethics and Anti Corruption Commission,
Integrity Centre
Milimani/Valley Road Junction
NAIROBI

Deliberation of Committee
Committee

Forwarding Questions

REPUBLIC OF KENYA



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National Assembly
Clerk's Chambers
Parliament Buildings
P.O. Box 41842-
NAIROBI, Kenya

KNA/DCL/CORR/2014(95)

4th November, 2014

Ms. Mariam el-Maawy,
Principal Secretary,
State Department of Lands,
Ministry of Lands,
Housing and Urban Development
Ardhi House, Ngong Road
NAIROBI

Dear *How*

RE: MEETING WITH THE DEPARTMENTAL COMMITTEE ON LANDS

Reference is made to the 96th Sitting of the Committee held on Tuesday 4th November 2014 in which the Cabinet Secretary was in attendance. The meeting was re-scheduled to Tuesday 11th November, 2014 to provide adequate time for the Cabinet Secretary to submit the information and/or supporting documents in regard to the following issues:

1. The disputed piece of land in Karen LR No. 3586:
 - a) Proof of Acquisition of the said land by Mr. Arnold Bradley in 1928;
 - b) The Subdivision approvals of 1941 which created LR Nos. 3586/1 and 3586/2;
 - c) The Transfer documents of 1957 to Kikangati Mines;
 - d) The Disapproval of the lease to Kenya Productions Ltd in 1957;
 - e) Proof of Acquisition of the land by Barclays Bank Limited;
 - f) Proof of acquisition of the land by Muchanga Investments from Barclays Bank in 1983;
 - g) The proof of acquisition of the said land by telesource.com Ltd and the date they came into existence and the subsequent acquisition of the said land by Telesource.com;
 - h) Transfer documents in regard to no.(f) and (g) above;
 - i) The application for subdivisions made by Muchanga Investments Ltd in 1997 and the subsequent rejection by the Ministry and those made by Telesorce.Com Ltd in 1983;

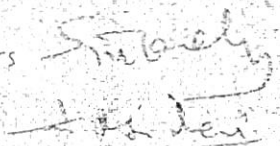
- j) Proof of ownership and or acquisition of the said land by Mr. John Mugo Kamau; and subsequent sale agreements and or transfers to Telesorce.Com Ltd in 2005.
- k) Copies of deed plans and survey plans issued to Telesorce.com Ltd by the Ministry in 2011;
- l) The copy of the caveat order placed on the land in 1997.
- m) Evidence of any court cases on the piece of land between 1997 and 2005;
- n) The Sale agreements/corresponding transfer documents intervening between the original owner and the current owner;
- o) Subdivision approvals for Telesource.com limited;
- p) The original grant document of the said land/ Grant Survey plans and the corresponding deed plan copies;
- q) Any other information/documents as it relates to the sale, transfer and subdivision of the land between 1997 and 2014.

2. The Disputed Land in upper Hill LR no.209/13332.

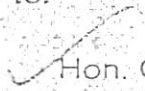
Further the Cabinet Secretary made submissions regarding the Ministerial request by Hon. Jakoyo Midiwo, MP on a piece of land LR.No.209/13332 during which the Committee noted that the submission made had reference to land LR.No. 123384/1 and 209/12184 and was not relevant to the parcel of land in question, LR.No.209/13332. It was therefore resolved that the meeting be rescheduled to Tuesday 11th November, 2014 to provide adequate time for the Cabinet Secretary to submit the information on the LR No.209/13332.

This is therefore to request you to inform the Cabinet Secretary to attend the said meeting which will be held in Committee Room on 2nd Floor Continental House at 10.00 am.

Yours


 MICHAEL R. SIALAI,
 FOR: CLERK OF THE NATIONAL ASSEMBLY

Copy to:-

 Hon. Charity Ngilu EGH
 Cabinet Secretary
 Ministry of Lands,
 Housing and Urban Development
 Ardhi House, Ngong Road
 NAIROBI

*D/Committee
urgently draft a
response*



*CWA
18/11/14*

MINISTRY OF LAND, HOUSING AND URBAN DEVELOPMENT

Telegrams: MINLANDS, Nairobi
Telephone: Nairobi 2718050
Fax: +254 2716757
E-mail: cslands@ardhi.go.ke

NATIONAL ASSEMBLY
RECEIVED
17 NOV 2014
SPEAKER'S OFFICE
P. O. Box 41842, NAIROBI.

OFFICE OF THE CABINET SECRETARY
ARDHI HOUSE
NGONG ROAD
P.O. BOX 30450
NAIROBI

November 17, 2014

Hon. Justin Muturi
Speaker
The National Assembly
Parliament Buildings
Nairobi

*Noted. CNA
The C's has raised a
number of serious issues.
A quick response is needed.
Benji A
17/11/14*

Dear *Mr. Speaker,*

RE: APPEARANCE BEFORE THE LANDS COMMITTEE OF THE NATIONAL ASSEMBLY

Refer to the above matter, where there has been a number of conflicting statements from the Land Committee as regards my appearance before them, I wish to seek your direction and guidance on how I should proceed.

At the Committee meeting of 3rd November 2014, it was agreed that I appear again before the Land Committee at 10:00am on Tuesday 11th November 2014 to provide further information on the two issues regarding LR No. 3586/3-Karen Land and LR No. 209/13332-Upper hill land. I received a letter of invitation from the Clerk on 4th November 2014. (Copy enclosed)

However on the same Tuesday at 10.00am, I had to appear before the Committee on Implementation of the Constitution, a meeting that had been scheduled earlier vide a letter of invitation to me from the Clerk of 31st October 2014. (Copy enclosed)

I wrote a letter to the Chairman of the Land Committee and copied to the office of the Clerk explaining why I could not appear before the Land Committee as had to appear before the CIOC. (Copy enclosed)

However on the Tuesday of 11th November 2014, I was shocked to hear from media reports that the Land Committee seeks to censure me for not appearing before them. The Committee further demanded that I appear before it on Thursday 13th November 2014. These were media summons and I did not receive an official letter on the same.

I immediately wrote to your office and the other Leaders in Parliament to express my concerns and to seek your guidance.

On 13th November 2014, I received a letter from the office of the Clerk asking me to appear on the 18th November 2014 before the Committee. However there is only one matter I was to respond to, that of LR No. 209/13332-Upper Hill land.

I therefore write to seek your guidance and direction on the following issues:

1. The initial re-appearance before the Committee was to furnish the Committee with more information on the two matters of LR No. 3586/3 in Karen and LR No. 209/13332 in Upper Hill. The most recent letter of 13th November 2014 has only 1 item of LR No. 209/13332 in Upper Hill. **I seek your guidance on whether I should respond to both matters or restrict myself on the matter of LR No. 209/13332.**
2. The media attack on me and the Chairman of the Committee has continued even after communication from the Chair by the Deputy Speaker on 13th November 2014 restricting the Committee members from the same. I need your guidance on whether it is proper for the Vice Chairman of the Committee to continue with media attacks like the one quoted on Sunday 16th November 2014 where he imputed ill motive on my not appearing before the Committee. As a former Member of Parliament I am aware that Standing Orders restrict members from discussing matters before the Committee outside the House.

3. The matter of LR No. 3586/3 in Karen is before the Courts and I am aware of the sub judice rule. I need your advice on whether answering this question with as much detail as requested by the Committee will not be prejudicial to the case in court and the Ministry and I could be exposed to contempt proceedings?

Yours *Sincerely*



Hon. Charity Kaluki Ngilu, EGH
Cabinet Secretary

Copy to:

Hon. Aden Duelle, MP
Leader of Majority
The National Assembly

Hon. Alex Muiru, MP
Chairman
Land Committee

REPUBLIC OF KENYA

Telegraphic Address
'Bunge', Nairobi
Telephone 2848000
Fax: 2243694
E-mail: clerk@parliament.go.ke
When replying please quote



National Assembly
Clerk's Chambers
Parliament Buildings
P. O. Box 41842 -00100
NAIROBI, Kenya

KNA/CIOC/CORR/43/2014

31st October, 2014

Ms. Mariamu El Maawy
Principal Secretary
Ministry of Lands, Housing and Urban Development
Ardhi House
NAIROBI



Dear

RE: MEETING WITH THE CONSTITUTION IMPLEMENTATION OVERSIGHT COMMITTEE.

The Constitutional Implementation Oversight Committee (CIOC) is a Select Committee of the National Assembly of Kenya responsible for overseeing the implementation of the Constitution of Kenya, 2010.

Pursuant to its Mandate, the Committee resolved to invite the Cabinet Secretary, Ministry of Lands, Housing and Urban Development for a meeting to report on the following: progress in operationalisation of various land laws, development of legislation on community land as required by article 63 of the Constitution and progress made on implementation of resolutions reached during the Committee meeting held on Tuesday, April 29, 2014 that involved the Ministry and the National Land Commission.

The purpose of this letter is therefore to request you to inform the Cabinet Secretary to attend the Committee meeting scheduled for Tuesday 11th November, 2014 in Committee Room on 2nd Floor Committee Room, Continental House, Parliament Buildings at 10.00 am.

Yours

JUSTIN BUNDI, CBS
CLERK OF THE NATIONAL ASSEMBLY

Copy to:

Mrs. Charity Kaluki Ngilu, EGH
Cabinet Secretary,
Ministry of Lands, Housing and Urban Development,
Ardhi House,
NAIROBI.

A handwritten signature in black ink, appearing to read "Justin Bundi".

Standard Street, Bruce House, 13th Floor,
P.O. Box 45707 - 00100 GPO, Nairobi, Kenya.
Tel: +254 20 2248461, 2248467, 2228081
Cell: +254 727 531005/ +254 736 248424
Fax: +254 20 2249754
Email: miller@milleradvocates.com
Website: www.milleradvocates.com

ADVOCATES
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- Rose Onsare
- Pauline Kamunya-McAsila
- Anne Kaguri

Associates

- Valarie Odera
- Terry Otieno
- George Mugane
- Esther Wangari
- Clive Mulama
- Alfred Deya
- Joshua Ndere



Our Ref: CGM/3389/2014/PK/PW/CGM

Date: 22nd October 2014

THE SPEAKER,
NATIONAL ASSEMBLY OF KENYA,
PARLIAMENT BUILDINGS,
NAIROBI.

Pass on this letter to the Committee to note and oblige.

Dear Sir,

*③ GINONO
pls. deal
FA 29/10*

*Blings NA
29/10/14*

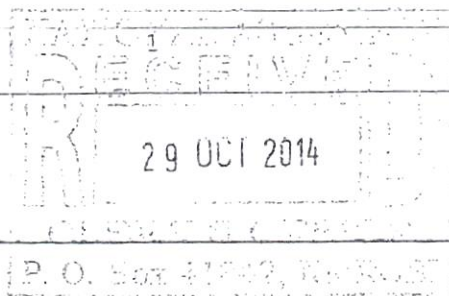
RE: INVESTIGATION OVER ALLEGED FRAUD INVOLVING LAND REFERENCE NO. 3586/3 BY THE PARLIAMENTARY LAND COMMITTEE

We act on behalf of MUCHANGA INVESTMENTS LIMITED who are the Plaintiffs in NAIROBI HIGH COURT ELC. CASE NO. 1180 OF 2014, MUCHANGA INVESTMENTS LIMITED VERSUS HABENGA HOLDINGS LIMITED & OTHERS, with instructions to write to you as we do hereunder:

Our Client filed the above captioned suit in the High Court of Kenya at Nairobi claiming ownership of LAND REFERENCE NO. 3586/3 situated in Karen/Langata Nairobi. The said suit is pending hearing and determination in the High Court.

Our Clients instructions are that several articles have appeared in the Print Media indicating that the Honourable Cabinet Secretary for Lands and the Chairman of the National Land Commission have been summoned to appear before the Parliamentary Land Committee on 23rd October 2014, which committee is investigating the ownership of Land Reference Number 3586/3.

Although our Client has not been summoned to appear before the Committee, our Client is of the view that the "Sub Judice" Rule prevents the committee and any other party or persons from commenting, deliberating and/or making a finding on a matter that is pending determination by a Court of Law. Our Client is therefore apprehensive of ventilating its position before the Committee when the matter is pending in Court.



MOMBASA OFFICE:
Sea View Plaza, Mama Ngina Drive, 1st Floor
P.O. Box 90088 - 80100, Mombasa, Kenya.
Tel: +254 41 2319483/4/5/90
Telcom Wireless: +254 020 231 7568
Fax: +254 41 2319489
Email: miller@milleradvocates.com
Website: www.milleradvocates.com

VAT No: 0132091V
PIN No: A001965821B



Our Instructions are to request that you direct the Parliamentary Committee on Land not to summon any person(s) before it with a view to determining ownership of the Land until the High Court case is heard and determined.

Your guidance and action in the matter will be greatly appreciated.

Yours faithfully,

FOR: MILLER & COMPANY ADVOCATES,


CECIL MILLER.

CC: CLIENT

Devises (Clean Money)

Ch Drivers of Revenue Bills

" 89(5) ~~→~~ Power may allow any?

COLONY OF KENYA.

DEPARTMENT OF LANDS.

INLAND REGISTRATION DISTRICT.

REGISTER OF TITLES No. 94.

ANNUAL RENT *Horinsaf* (Revisable as herein provided.)

Term 999 years from 1.7.1919 To 30.6.1918

William Robinson

Notly Know All Men by these presents that I ~~Edward Northey~~ ^{Edward Northey} Knight Commander of the Most Distinguished Order of Saint Michael and Saint George a Companion of the Most Honourable Order of the Bath the Governor of the Colony of Kenya on behalf of His Most Gracious Majesty King George the Fifth do hereby under and by virtue of the powers vested in me GRANT unto *Grattan Biddulphs Norman of Nairobi in the said Colony civil servant*

(hereinafter referred to as the Grantee which expression shall where the context so admits include *his* executors administrators and assigns) ALL THAT piece of land situate at *Mbagathi* in the *Keaambey* District of the *Wakamba* Province of the said Colony containing by measurement *one hundred and six* ~~and bounded as follows that is to say~~ Portion Number *10977* (Land Office Number *10977*) of the said District of land with the dimensions abutments and boundaries thereof as delineated on the plan drawn on these presents and more particularly on Land Survey Plan Number *10977* deposited in the Land Surveys Office at Nairobi

TO HOLD for the term of nine hundred and ninety-nine years from the *First* day of *July* One thousand nine hundred and *nineteen* subject to the payment therefor for the said term the respective rents following payable in advance on the first day of January in every year and so in proportion for any less period than one year namely:

- (a) From the *First* day of *January* One thousand nine hundred and *twenty-one* until the thirty-first day of December One thousand nine hundred and forty-five an annual rent of *Horinsaf sixteen*
- (b) From the first day of January One thousand nine hundred and forty-six until the thirty-first day of December One thousand nine hundred and seventy-five an annual rent calculated at the rate of one per centum on the unimproved value of the land hereby granted in the year One thousand nine hundred and forty-five.

*10977/21
15429*

(c) From the first day of January One thousand nine hundred and seventy-six until the thirty-first day of December Two thousand and five an annual rent calculated at the rate of two per centum on the unimproved value of the land hereby granted in the year One thousand nine hundred and seventy-five.

(d) For every subsequent period of thirty years thereafter to expire on the thirty first day of December in every thirtieth year following until the expiration or sooner determination of the term hereby granted an annual rent calculated at the rate of three per centum on the unimproved value of the land hereby granted in the year preceding the first year of each succeeding period of thirty years.

This Grant is subject to the provisions and conditions contained in the Crown Lands Ordinance One thousand nine hundred and fifteen (excepting part eleven thereof) the Crown Lands (Discharged Soldiers Settlement) Ordinance One thousand nine hundred and twenty-one and the Registration of Titles Ordinance One thousand nine hundred and nineteen and also to the special conditions hereunder written :-

1. The Grantee will on or before the *Thirtieth* day of *June* One thousand nine hundred and *twenty four* have on the land hereby granted improvements of the nature specified in the Schedule hereto to the value of not less than *Shorins one thousand and six hundred*
2. The Grantee will at all times after the said *Thirtieth* day of *June* One thousand nine hundred and *twenty four* during the continuance of the term hereby granted maintain and keep or cause to be maintained and kept on the said land improvements of the nature and of the value specified in the last preceding condition in that behalf.

~~The Grantee will on or before the *thirtieth* day of *June* One thousand nine hundred and *twenty six* have on the said land improvements of the nature specified in the Schedule hereto to the value of not less than *Shorins two thousand and four hundred*~~

4. The Grantee will at all times after the said *Thirtieth* day of *June* One thousand nine hundred and *twenty six* until the expiration or sooner determination of the term hereby granted maintain and keep or cause to be maintained and kept on the said land improvements of the nature and of the value specified in the last preceding condition in that behalf.

5. The Grantee shall reside within the Colony or Protectorate of Kenya for an aggregate period of eighteen months during a period of three years commencing from the *First* day of *July* One thousand nine hundred and *nineteen* and shall furnish to the Land Officer during the month of January in every year until the completion of such period of residence evidence thereof which shall be supported by affidavit and a certificate signed by a Magistrate.

6. The Grantee shall not assign sublet or otherwise part with the possession (except by way of mortgage) of the land hereby granted or any part thereof until the period of residence shall have been completed as prescribed in the last preceding condition in that behalf.

7. The Grantee shall not divide or subdivide the said land or any part thereof or assign sublet or otherwise part with the possession of any such division or subdivision in any manner whatsoever without the previous written consent of the Governor-in-Council.

8. The Grantee shall not without the previous written consent of the Governor-in-Council appoint or allow a Non-European to manage or otherwise occupy or be in control of the said land.

9. If the said rents hereby reserved or any part thereof shall be in arrear and unpaid for the space of thirty days after the same shall have become due (whether formally demanded or not) or if there shall be any breach non-observance or non-performance on the part of the Grantee of any of the conditions herein contained or implied by virtue of the provisions of the hereinbefore mentioned Ordinances then and in any such case it shall be lawful for His Majesty to enter into and upon the premises the subject of this Grant or any part thereof in the name of the whole and the same to have again and repossess as if this Grant had not been made and thereupon this Grant shall absolutely cease and determine and all monies paid thereunder shall be forfeited to His Majesty but without prejudice to any right of action or remedy of His Majesty in respect of any antecedent breach by the Grantee of any of the conditions herein contained or implied as aforesaid.

10. The improvements (if any) already effected on the said land at the date hereof shall count towards the amount of improvements required by conditions one and three hereof provided the same are duly maintained.

IN WITNESS WHEREOF I the said
 Governor have hereunto set my hand
 and the seal of the Colony at Nairobi
 this *twenty-fifth*
 day of *July* One thousand
 nine hundred and *twenty-one*
 in the presence of

W. K. ...

...
 Registrar of Land

THE SCHEDULE HEREIN BEFORE REFERRED TO.

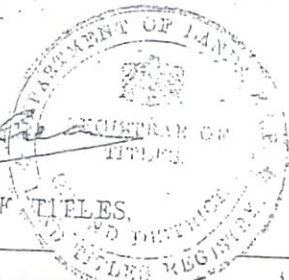
- Farm buildings of all descriptions.
- Fencing.
- Water Furrows.
- Planting trees or live hedges.
- Walls.
- Wells.
- Draining land or reclamation of swamps.
- Road making.
- Bridges.
- Clearing of land for agricultural purposes.
- Laying out and cultivating gardens and nurseries.
- Water boring.
- Water races.
- Sheep or cattle dips.
- Embankments or protective works of any kind.
- Planting of long-lived crops.
- Water tanks.
- Irrigation works.
- Fixed machinery.
- Reservoirs.
- Dams of a permanent nature.
- Dwelling houses, occupied by the Grantee or some person or persons in *his* permanent employ.



REGISTERED at the Registry of Titles at Nairobi this
 day of August 1921. Time 4 pm
 No. 94/11
 Presentation No. 123/21

Stamp Fee... Rs. 10/-
 Stamp Duty... Rs. 1/-
 Rs. 11/-

Cesliva
 REGISTRAR OF TITLES.



THE FOLLOWING DOCUMENT HAS BEEN REGISTERED AGAINST THE TITLE
 No. 11, 94/11 DATE OF REGISTRATION... 13th September 1921
In favour of Grace Pauline Holmes

13th SEP 1921 REGISTRAR OF TITLES
J.P. Robbins

2

Traced

EAST AFRICA PROTECTORATE.

PROVINCE OF UKAMBA

DISTRICT OF KIAMBU

Locality, S.W. of Nairobi (Mbogo Mt)

Scale: 1 in. 10,000 or 833.33 Feet to 1 Inch

Co-Ordinates.

Referred to Equator	Latitude	Longitude
g.	Feet	2.

Land Office Reference No. 3586 (Co. N. 1417)

Re-Subdivision No. -

of Subdivision No. -

of Section No. -

of Portion No. 46

of Meridional District South A. 37

G. II. C

Area: 16.0 Acres (Approx)

Bearings	Distances
o	Feet

Forest



Nairobi July 5th 1921

C. P. ...

31

3

THE FOLLOWING DOCUMENT HAS BEEN REGISTERED AGAINST THIS TITLE.
No. 94/3 DATE OF REGISTRATION 27th February 1928

Discharge of lien no. 2

NAIROBI, THE 27th DAY OF February 1928 REGISTRAR OF TITLES
J.P. Robbins

4

THE FOLLOWING DOCUMENT HAS BEEN REGISTERED AGAINST THIS TITLE.
No. 94/4 DATE OF REGISTRATION 27th February 1928

Transfer to Arnold BRADLEY

NAIROBI, THE 27th DAY OF February 1928 REGISTRAR OF TITLES
J.P. Robbins

5

THE FOLLOWING DOCUMENT HAS BEEN REGISTERED AGAINST THIS TITLE.
No. 94/5 DATE OF REGISTRATION 27th February 1928

Charge to Mrs. Mary Jane CAMPBELL

NAIROBI, THE 27th DAY OF February 1928 REGISTRAR OF TITLES
J.P. Robbins

6

THE FOLLOWING DOCUMENT HAS BEEN REGISTERED AGAINST THIS TITLE

No. I. R. 94/6 DATE OF REGISTRATION 27th January 1930

Lien in favour of Standard Bank of East Africa Ltd. Eldoret over Charges interest in No. 5 above

NAIROBI, THE 27th DAY OF January 1930 REGISTRAR OF TITLES
W. S. M. M. M.

7

THE FOLLOWING DOCUMENT HAS BEEN REGISTERED AGAINST THIS TITLE

No. I. R. 94/7 DATE OF REGISTRATION 25th February 1931

Discharge of lien of No. 6 above

NAIROBI, THE 26th DAY OF February 1931 REGISTRAR OF TITLES
W. S. M. M. M.

8

THE FOLLOWING DOCUMENT HAS BEEN REGISTERED AGAINST THIS TITLE

No. I. R. 94/8 DATE OF REGISTRATION 25th February 1931

Discharge of Charge of No. 5 above

NAIROBI, THE 26th DAY OF February 1931 REGISTRAR OF TITLES
W. S. M. M. M.

9

THE FOLLOWING DOCUMENT HAS BEEN REGISTERED AGAINST THIS TITLE

No. I. R. 94/9 DATE OF REGISTRATION 7th March 1931

Lien in favour of Barclays Bank (C.S.O.)

NAIROBI, THE 9th DAY OF March 1931 REGISTRAR OF TITLES
W. S. M. M. M.

No. I. R. 94/110 DATE OF REGISTRATION 30th January 1952

Discharge of loan of No. 9 above

MAJOR THE 1st DAY OF February 1952 REGISTRAR OF TITLES
THE FOLLOWING DOCUMENT HAS BEEN REGISTERED AGAINST THIS TITLE

No. I. R. 94/11 DATE OF REGISTRATION 30th January 1952

Charge to James Rowland Hamilton Robson
T. Armando Hunt Kennedy Wilbraham Northey

MAJOR THE 1st DAY OF February 1952 REGISTRAR OF TITLES

Land Department
Registry of Titles
Colony of Kenya

Discharged Soldiers Settlements
K. A. 1117
L.O. File No. 15912

Grant
Farm L.O. No. 556
Wabamba District
Wabamba Province

A. Bradley

HIS MOST GRACIOUS MAJESTY
KING GEORGE THE FIFTH

Date of 23rd day of July 1987

THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THIS TITLE

No. I. R. 24/12 DATE OF REGISTRATION 2nd July 1951

Discharge of charge of
No. 11 above

MAJOR THE 5th DAY OF July 1951 REGISTRAR OF TITLES

THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THIS TITLE:

Transfer to William Bestman Warner
20.2 acres S.I.R. No. 3586/1 - Kambu
Annual Rent 5/6 of
Lease Certificate of S.I.R. 5579

Responsible No. 255 Date of Registration 27.1.1952 REGISTRAR OF TITLES

THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THIS TITLE
Mortgage of Charge with Barclays Bank
(Dominion, Colonial and Overseas)

Presentation No. 439 Date of Registration 24.11.50

THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THIS TITLE

Removal of Discharge of No. 14 above

Presentation No. 5787 Date of Registration 20.7.55 REGISTRAR OF TITLES

10

11

12

13

14

15

16

THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THIS TITLE
Charge by Merrill Goldberg and Robert Henry Matthews 140 acres LR No. 3586/2
Presentation No. 858 Date of Registration 16/11/55 Registrar of Titles

THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THIS TITLE
Discharge of No. 16 above

17

PRESENTATION NO. 10789 DATE OF REGISTRATION 26-11-59 Registrar of Titles

18

THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THIS TITLE
Sub division Certificate by Nairobi City Council dividing the plot LR 3586 into 2 subplots

Presentation No. 102 Date of Registration 2-3-78 Registrar

18

THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THIS TITLE
Declaration by the Crown dated 31-5-1963 declaring the annual rent payable for the land comprised in the within-written Grant to be Shs 58/- with effect from 1-1-1961
Presentation No. 689 Date of Registration 23-9-1963 Registrar W. L. M. M. M.

19

THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THIS TITLE
Convey by Imogen Lindsay Poppleton claiming beneficiaries interest in LR 3586/2 Absolutely
Presentation No. 990 Date of Registration 26-8-77 Registrar

20

THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THIS TITLE
Sub division Certificate by Nairobi City Council dividing the plot LR 3586/2 into 2 subplots
Presentation No. 192 Date of Registration 2-3-1978 Registrar

21

THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THIS TITLE
Withdrawal of Convey 100. 19 above
Presentation No. 103 Date of Registration 2-3-1978 Registrar

22

THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THIS TITLE
Probate of the Will of Arnold Bradley to Barclays Bank International Limited
Presentation No. 104 Date of Registration 2-3-1978 Registrar

23

THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THE TITLE

Transfer (~~Agent~~) to Arnette Therese Benson 2.019 ha. LR 3586/2/2 Annual Rent Sh. 10% (Reversible) VIDE CERTIFICATE OF TITLE LR 31884

Registration No. 105 Date of Registration 2-2-1978

REGISTER

THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THE TITLE

24

Transfer (~~Agent~~) to Merchants Investment Limited 54.39 Hg LR No. 3586/3 (orig No 3586/2/3) Annual Rent Sh. 4.8% (Reversible) VIDE CERTIFICATE OF TITLE LR 37285

Registration No. 315 Date of Registration 11-2-83

REGISTER

200

3

3

COLONY OF KENYA.

DEPARTMENT OF LANDS.

INLAND REGISTRATION DISTRICT

REGISTER OF TITLES No. 94

ANNUAL RENT *Shorins 16/-* (Revisable as herein provided.)

Term 999 years from *1-7-1919* To *30-6-2918*

This is the Exhibit marked "G931"

referred to in the annexed affidavit declaration

GRANTER GRANTEE

before me this *8th* day of *March* 1919

Commissioner for Oaths

by these presents that I, EDWARD NORTHEY, knight Commander of the Most Distinguished Order of Saint Michael and Saint George a companion of the Most honourable Order of the Bath the Governor of the Colony of Kenya on behalf of His Most Gracious Majesty King George the Fifth do hereby under and by virtue of the powers vested in me GRANT unto

Gratten Biddulph Norman of Nairobi in the said Colony civil servant

(hereinafter referred to as the Grantee which expression shall where the context so admits include *his* executors administrators and assigns) ALL THAT piece of land situate at *Mbagathi* in the *Kiambu* District of the Province of the said Colony containing by measurement

acres more or less and bounded as follows, that is to say Portion Number *46* (Land Office Number *3586* of Meridional District *South A. 37* which said piece of land with the Dimensions abutals and boundaries thereof is delineated on the plan drawn on these presents and more particularly on Land Survey Plan Number deposited in the Lands surveys Office at Nairobi.

TO HOLD for the term of nine hundred and ninety nine from the *first* day of *July* One thousand nine hundred and *nineteen* subject to the payment therefore for the said term the respective rents following payable in advance on the first day of January in every year and so in proportion for any less period than one year namely:-

- (a) From the *first* day of *July* One thousand nine hundred and *nineteen* until the thirty first day of December One thousand nine hundred and forty five an annual rent of *Shorins sixteen*
- (b) From the first day of January One Thousand nine hundred and forty-six until the first day of December One Thousand Nine Hundred and seventy-five an annual rent calculated at the rate of one per centum on the unimproved value of the land hereby granted in the year One Thousand nine hundred and forty five.

(c) From the first day of January One thousand nine hundred and seventy-six until the thirty first day of December Two thousand and five an annual rent calculated as the rate of two per centum on the unimproved value of the land hereby granted in the year One thousand nine hundred and seventy-five.

(d) For every subsequent period of thirty years thereafter to expire on the thirty day of December in every thirtieth year following year until the expiration or sooner determination of the term hereby granted an annual rent calculated at the rate of three per centum on the unimproved value of the land hereby granted in the year preceding the first year of each succeeding period of thirty years.

This Grant is subject to the provisions and conditions contained in the Crown Lands Ordinance One thousand nine hundred and fifteen (excepting part eleven thereof) the Crown Lands (Discharged Soldiers Settlement) Ordinance One thousand nine hundred and twenty-one and the Registration of Titles Ordinance One Thousand nine hundred and nineteen and also to the special conditions hereunder written:-

1. The Grantee will on or before the *thirtieth* day of *June* One thousand nine hundred and *twenty four* have on the land hereby granted improvements of the nature specified in the Schedule hereto to the value of not less than *Three thousand and six hundred*
2. The Grantee will at all times after the said *thirtieth* day of *June* One thousand nine hundred and *twenty six* during the continuance of the term hereby granted maintain and keep or cause to be maintained and kept on the said land improvements of the nature and of the value specified in the last preceding condition in that behalf.
3. The Grantee will not on or before the *thirtieth* day of *June* of One Thousand nine hundred and *twenty six* have on the said land improvements of the nature specified in the Schedule hereto to the value of not less than
4. The Grantee will at all times after the said *thirtieth* day of *June* One Thousand nine hundred and *twenty six* until the expiration or sooner determination of the term hereby granted maintain and keep or cause to be maintained and kept on the said land improvements of the nature and the value specified in the last preceding condition in that behalf.
5. The Grantee shall reside within the Colony or Protectorate of Kenya for an aggregate period of eighteen months during a period of three years commencing from the *first* day of *July* One thousand nine hundred and *nineteen* and shall furnish to the Land Officer during the month of January in every year until the completion of such period of residence evidence thereof which shall be supported by affidavits and a certificate signed by a magistrate.
6. The Grantee shall not assign sublet or otherwise part with the possession (except by way of Mortgage) of the land hereby granted or any part thereof until the period of residence shall have been completed as prescribed in the last preceding condition in that behalf.
7. The Grantee shall not divide or subdivide the said land or any part thereof or assign sublet or otherwise part with the possession of any such division or subdivision in any manner whatsoever without the previous written consent of the Governor-in-Council.
8. The Grantee shall not without the previous written consent of the Governor-in-Council appoint or allow a Non-European to manage or otherwise occupy or be in control of the said land.

9. If the said rents hereby reserved or any part thereof shall be in arrears and unpaid for the space of thirty days after the same shall have become due (whether formally demanded or not) or if there shall be any breach non-observance or non-performance on the part of the Grantee of any of the conditions herein contained or implied by virtue of the provisions of the hereinbefore mentioned Ordinance then and in any such case it shall be lawful for His Majesty to enter into and upon the premises the subject of this Grant or any part thereof in the name of the whole and the same to have again and repossess as if this Grant had not been made and thereupon this Grant shall absolutely cease and determine and all monies paid thereunder shall be forfeited to His Majesty in respect of any antecedent breach by the Grantee of any of the conditions herein contained or implied as aforesaid.

10. This Improvements (if any) already effected on the said land at the date hereof shall count towards the amount of improvements required by conditions one and three hereof provided the same are duly maintained.

IN WITNESS WHEREOF I the said
Governor have hereunto set my hand
and the seal of the Colony at
day of *twenty fifth*
nine hundred and twenty
in the presence of

H. K. ...

Cochran

THE SCHEDULE HEREINBEFORE REFERRED TO.

- Farm buildings of all descriptions.
- Fencing.
- Water Furrows.
- Planting trees or live hedges.
- Walls.
- Wells.
- Draining land or reclamation of swamps.
- Road Making.
- Bridges.
- Clearing of land for agricultural purposes.
- Laying out and cultivating gardens and nurseries.
- Water Boring.
- Water races
- Sheep or cattle dips.
- Embankments or protective works of any kind.
- Planting of long lived crops.
- Water tanks.
- Irrigation works.
- Fixed machinery.
- Reservoirs.
- Dams of permanent nature.
- Dwelling houses occupied by the Grantee or some person or persons in permanent employ.

REGISTERED at the Registry of Titles at Nairobi this *third*
day of *August* 1921 *Time 4 pm*
No. *94/1*
Presentation No. *123/21*

Cashalero
REGISTRAR OF TITLES.

FOLLOWING DOCUMENT HAS BEEN REGISTERED AGAINST THIS TITLE:

No. *JR 94/2* DATE OF REGISTRATION *13th September 1921*

In favour of Grace Pauline Holmes

2
SIGNED THE *13th* DAY OF *September* 1921 *Y. H. H. H.* REGISTRAR OF TITLES

EAST AFRICA PROTECTORATE

PROVINCE OF UKAMBA

DISTRICT OF KIAMBU

Locality, S.W. of Nairobi (Mbogathi)

Scale: 1 in 10,000 or 833.33 Feet to 1 Inch

Land Office Reference No. 3586 (Co. 7. 1417)

Re-Subdivision No.

of Subdivision No.

of Section No.

of Portion No. 46

of Meridional District South A 37

Area=160 Acres (Approx)

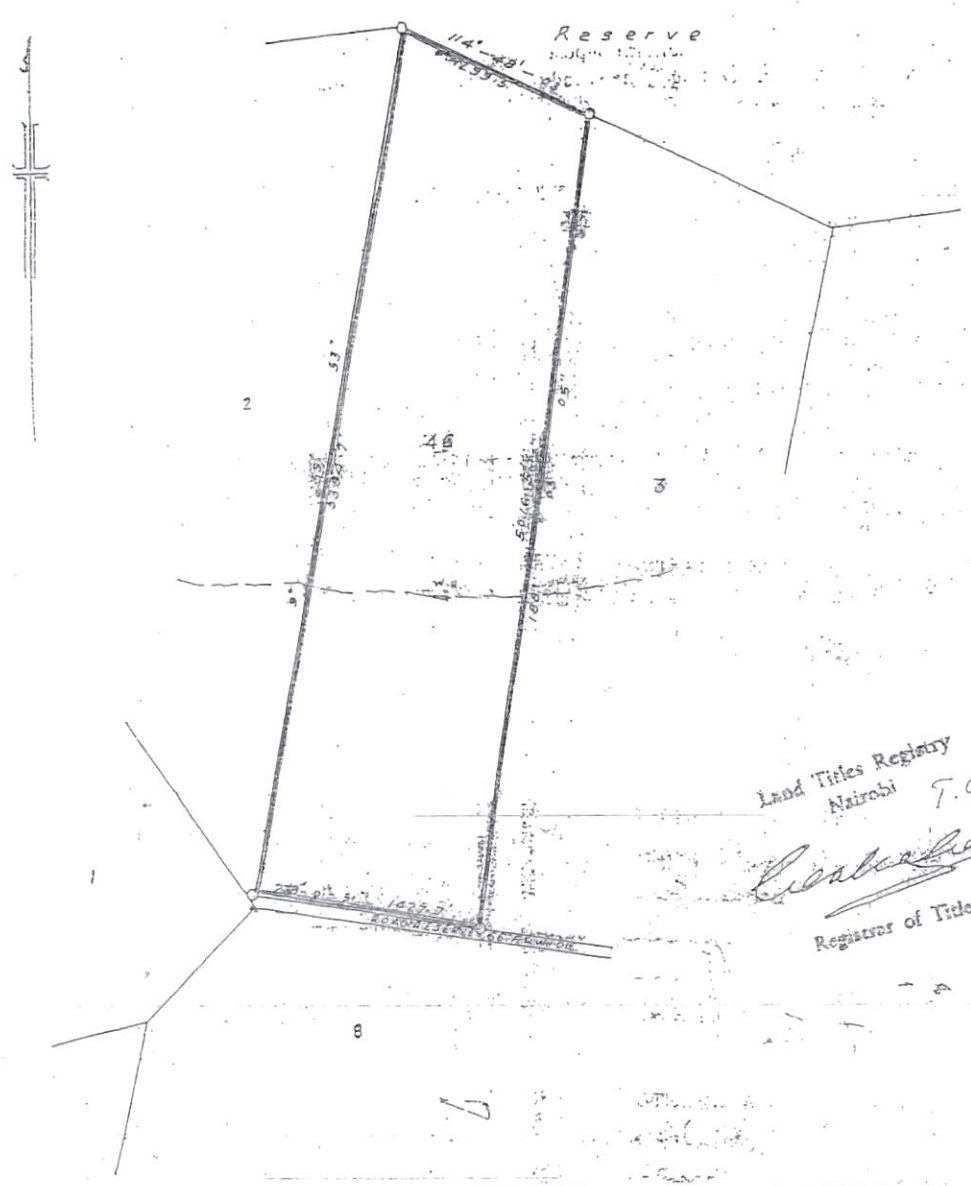
Co-Ordinates

Refered to Equator if y.	Feet	"E Longitude z.

Bearings	Distances Feet

Forest

Reserve



Land Titles Registry
Nairobi 7.94

Charles...

Registrar of Titles

Traced by: MF
Compared by: aob.

Nairobi No. 5102-1

Director of Surveys, Cadastral Branch

REVISION PLAN No 10979

3

THE FOLLOWING DOCUMENT HAS BEEN REGISTERED AGAINST THIS TITLE:
No. 2R 94/3 DATE OF REGISTRATION 27th February 1928
Discharge of Lien no. 2

MADE THE 27th DAY OF February 1928 G. P. Robbins REGISTRAR OF TITLES

4

THE FOLLOWING DOCUMENT HAS BEEN REGISTERED AGAINST THIS TITLE:
No. 1R 94/4 DATE OF REGISTRATION 27th February 1928
Transfer to Arnold BRADLEY

MADE THE 27th DAY OF February 1928 G. P. Robbins REGISTRAR OF TITLES

5

THE FOLLOWING DOCUMENT HAS BEEN REGISTERED AGAINST THIS TITLE:
No. 1R 94/5 DATE OF REGISTRATION 27th February 1928
Change to Mrs Mayoria CAMPBELL

MADE THE 27th DAY OF February 1928 G. P. Robbins REGISTRAR OF TITLES

6

THE FOLLOWING DOCUMENT HAS BEEN REGISTERED AGAINST THIS TITLE:
No. 1R 94/6 DATE OF REGISTRATION 24th January 1930
Lien in favour of Standard Bank of South Africa Ltd. Eddart-over charges interest in No. 5 above

MADE THE 27th DAY OF January 1930 H. Sutgou REGISTRAR OF TITLES

7

THE FOLLOWING DOCUMENT HAS BEEN REGISTERED AGAINST THIS TITLE:
No. 1R 94/7 DATE OF REGISTRATION 25th February 1931
Discharge of Lien of no. 6 above

MADE THE 25th DAY OF February 1931 H. Sutgou REGISTRAR OF TITLES

8

THE FOLLOWING DOCUMENT HAS BEEN REGISTERED AGAINST THIS TITLE:
No. 1R 94/8 DATE OF REGISTRATION 25th February 1931
Discharge of charge of no. 5 above

MADE THE 25th DAY OF February 1931 H. Sutgou REGISTRAR OF TITLES

9

THE FOLLOWING DOCUMENT HAS BEEN REGISTERED AGAINST THIS TITLE:
No. 1R 94/9 DATE OF REGISTRATION 7th March 1931
Lien in favour of Barclays Bank (D.C.S.D.)

MADE THE 7th DAY OF March 1931 H. Sutgou REGISTRAR OF TITLES