



Approved
SNA
28/5/26.

REPUBLIC OF KENYA

THE NATIONAL ASSEMBLY

THIRTEENTH PARLIAMENT – FIFTH SESSION – 2026

PUBLIC PETITIONS COMMITTEE



REPORT ON-

CONSIDERATION OF PUBLIC PETITION NO. 9 OF 2024 BY AMANI SELF HELP GROUP, REGARDING OWNERSHIP DISPUTE OF LAND PARCEL L.R. NO. 209-11970 – DANDORA/MOWLEM, AREA, KANGUNDO ROAD IN EMBAKASI WEST CONSTITUENCY

Directorate of Audit Appropriations &
General-Purpose Committees
Clerk's Chambers
Main Parliament Buildings
NAIROBI

THE NATIONAL ASSEMBLY PAPERS LAID	
DATE: 28 MAY 2026	DAY: Thursday
TABLED BY:	Hon. Maisori Marwa, MP Member, Public Petitions Committee
CLERK-AT-THE-TABLE:	Irene Nduku

MAY, 2026

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CHAIRPERSON'S FOREWORD

On behalf of the Public Petitions Committee and pursuant to the provisions of Standing Order 227, it is my pleasant privilege and honour to present to this House the Report of the Committee on the Public Petition No. 9 of 2024 regarding ownership dispute of land parcel L.R. No. 209- 11970 – Dandora/Mowlem, area, Kangundo road, Nairobi in Embakasi West Constituency. The petition was presented to the House pursuant to Standing Order No. 225 (2) (a) by Mark Mwenje, MP, on behalf of Members of Amani Selfhelp Group.

The Petitioners prayed that the National Assembly, through the Public Petitions Committee, ensure that—

- i) Establish the status of ownership of Parcel of Land, L.R. No. 209/11970 in Dandora/Mowlem Area, Kangundo Road, Nairobi in Embakasi West Constituency, vis-a-vis the allegedly illegally acquired title deed held by the private developers.
- ii) Intervenes to have the Government, through the Ministry of Lands and Physical Planning, to avail or table all legal documents in regard to ownership of Parcel of Land, L.R. No. 209/11970 in Dandora/Mowlem Area, Kangundo Road, Nairobi in Embakasi West Constituency.
- iii) Makes any other order or direction that it deems fit in the circumstances of this matter.

In considering the petition, the Committee engaged with the Petitioners and the Cabinet Secretary of the Ministry of Lands, Public Works, Housing and Urban Development.

The Committee observed that the matter had been sufficiently adjudicated in court.

The Committee appreciates the Offices of the Speaker and Clerk of the National Assembly for providing guidance and necessary technical support, without which its work would not have been possible. The Chairperson expresses gratitude to the Committee Members for their devotion and commitment to duty during the consideration of the Petition.

On behalf of the Committee and pursuant to the provisions of Standing Order 199, I now wish to lay the Report on the Table of the House.

HON. MUCHANGI KAREMBA, CBS, M.P.

CHAIRPERSON, PUBLIC PETITIONS COMMITTEE

PART ONE

1. PREFACE

1.1 Establishment and Mandate of the Committee

The Public Petitions Committee was established under the provisions of Standing Order 208A with the following terms of reference:

- i) considering all public petitions tabled in the House;
- ii) making such recommendations as may be appropriate with respect to the prayers sought in the petitions;
- iii) recommending whether the findings arising from consideration of a petition should be debated; and
- iv) advising the House and reporting on all public petitions committed to it.

1.2 Committee Membership

The Public Petitions Committee was constituted in October 2022 and comprises the following Members:

Chairperson

Hon. Muchangi Karemba, CBS, M.P.
Runyenjes Constituency
United Democratic Alliance (UDA)

Vice Chairperson

Hon. Janet Jepkemboi Sitienei, M.P.
Turbo Constituency
United Democratic Alliance (UDA)

Hon. Patrick Makau King'ola, M.P.
Mavoko Constituency

Wiper Democratic Movement-Kenya (WDM-K)

Hon. Edith Vethi Nyenze, M.P.
Kitui West Constituency

Wiper Democratic Movement-Kenya (WDM-K)

Hon. Ntwiga Patrick Munene, M.P.
Chuka Igambang'ombe Constituency
United Democratic Alliance (UDA)

Hon. Maisori Marwa Kitayama, M.P.
Kuria East Constituency
United Democratic Alliance (UDA)

Hon. Joshua Chepyegon Kandie, M.P.
Baringo Central Constituency
United Democratic Alliance (UDA)

Hon. Beatrice Kadeveresia Elachi, M.P.
Dagoretti North Constituency
Orange Democratic Movement (ODM)

Hon. Bernard Muriuki Nebart, M.P.
Mbeere South Constituency
Independent

Hon. Biego Paul Kibichy, M.P.
Chesumei
United Democratic Alliance (UDA)

Hon. Peter Irungu Kihungi, M.P.
Kangema Constituency
Maendeleo Chap Chap Party (MCCP)

Hon. John Bwire Okano, M.P.
Taveta Constituency
Wiper Democratic Movement-Kenya (WDM-K)

Hon. Peter Mbogho Shake, M.P.
Mwatate Constituency
Jubilee Party (JP)

Hon. Sloya Clement Logova, M.P.
Sabatia Constituency
United Democratic Alliance (UDA)

Hon. Suzanne Ndunge Kiamba, M.P.
Makueni Constituency
Wiper Democratic Movement-Kenya (WDM-K)

1.3 Committee Secretariat

The Public Petitions Committee is facilitated by the following members of the secretariat:

Lead Clerk

Mr. Victor Weke

Principal Clerk Assistant II

Ms. Miriam Modo

First Clerk Assistant

Ms. Kafuyai Wamae

Third Clerk Assistant

Ms. Nancy Akinyi

Research Officer III

Ms. Roselyne Njuki

Principal Serjeant-at-Arms

Mr. Pascal Valerian

Hansard Officer III

Ms. Felistus Muiya

Public Communication Officer

Mr. Benard Toroitich

Third Clerk Assistant

Mr. Clinton Sindiga

Legal Counsel II

Mr. Arkan Mumin

Research Officer III

Mr. Paul Shana

Serjeant-at-Arms

Mr. Collins Mahamba

Audio Officer III

Ms. Fridah Ngari

Media Relations Officer III

PART TWO

2. BACKGROUND OF THE PETITION

2.1 Introduction

1. Public Petition No. 9 of 2024, regarding the ownership dispute of land parcel L.R. No. 209-11970 – Dandora/Mowlem, area, Kangundo road, Nairobi in Embakasi West Constituency, presented to the House pursuant to Standing Order No. 225 (2) (a) on 19th June, 2024, by the Hon. Mark Mwenje, MP, on behalf of Members of Amani Self-help Group.
2. The petitioners stated that their families have been residing in Dandora/Mowlem, area, Kangundo Road, in the Embakasi West Constituency, on land parcel L.R. No. 209/11970 since 2000.
3. They also stated that the initial survey details indicated that the parcel was designated as public land, hence lacking a title until one was allegedly processed and issued on 15th October, 2010. The members, who were initially 74, have grown into a large and enterprising community of over 260 residents.
4. The members constructed permanent houses and shopping centres on the land parcel, including social amenities, such as schools, with electricity and water connectivity.
5. They further submitted that the subject land was now being claimed by a Mr. Charles Munene Gatimu and a Ms. Catherine Karegi Kamanja, who proceeded to secure a Grant on 15th October, 2010. Further, the Department of Lands in Nairobi issued two Letters of Allotment: one to Charles Arap Sigei, Charles Menene Gatimu, and Catherine Kamanja and another to Amani Self-Help Group.
6. The petitioners further stated that on 4th February, 2009 Mr. Charles Munene Gatimu swore an Affidavit accompanied by a letter to the Director of Surveys claiming that he had lost the Deed Plan No. 176452 for land Parcel L.R.No.209/11970.
7. In response to the said letter, a Licensed Surveyor Mrs. Rukuku Omalla requested the Director of Surveys to issue a certified copy of the said Deed Plan and release the same to Arch Surveys vide a letter dated 12th January, 2009.
8. Efforts by Amani Self-Help Group to access the Correspondence File (CF) from either the Chief Land Registrar or the Director of Land Administration have been futile.
9. They claimed that the initial land parcels surrounding the subject Grant L.R. No. 209/9611 have four-digit registration numbers, while L.R. No. 209/11970 has five digits, which confirms that the said title/Grant could have been superimposed in the area to secure a title with no records.
10. The petitioners argued that it was incumbent upon the Lands Ministry Officials to clarify whether due process was followed in the processing of the Grant for L.R. No. 209/11970.
11. They requested that the Committee ensure that the Cabinet Secretary makes available the letter of application for the allocation of land by Charles Arap Sigei, Charles Munene Gatimu, and Catherine Kamanja, the respective approvals, and any premium payment made.

12. They further stated that efforts to resolve the matter with the Ministry and other relevant agencies have been futile, and the issues in respect of which this Petition is made are not pending before any Court of Law, Constitutional or Statutory body

2.2 Petitioners' Prayers

13. The Petitioners prayed that the National Assembly, through the Public Petitions Committee, ensures that—
 - i) Establishes the status of ownership of Parcel of Land, L.R. No. 209/11970 in Dandora/Mowlem Area, Kangundo Road, Nairobi in Embakasi West Constituency vis-a-vis the allegedly illegally acquired title deed held by the private developers;
 - ii) Intervenes to have the Government, through the Ministry of Public Works, Housing and Urban Development, to avail or table all legal documents in regard to ownership of Parcel of Land, L.R. No. 209/11970 in Dandora/Mowlem Area, Kangundo Road, Nairobi in Embakasi West Constituency; and
 - iii) Makes any other order or direction that it deems fit in the circumstances of this matter.

PART THREE

3 STAKEHOLDERS' SUBMISSIONS ON THE PETITION

3.1 The Petitioners

14. The petitioners appeared before the Committee and submitted as follows —

- i) The Petitioners have been residing in Dandora/Mowlem, Area, Kangundo Road, Nairobi, in Embakasi West Constituency in Land Parcel L.R. No. 209/11970 since the year 2000;
- ii) The initial survey details indicated that the land was designated as public land; hence, it lacked a title until one was allegedly processed and issued on 15th October 2010.
- iii) The members initially were 74, but are now a large and enterprising community of over 260 residents. They have constructed permanent houses and shopping centres on the land parcel, including social amenities, such as schools, with electricity and water connectivity.
- iv) The land was now being claimed by Mr Charles Munene Gatimu and Ms Catherine Karegi Kamancha, who secured a grant on 15th October, 2010. Mr. Charles Munene Gatimu previously served as a Senior Demolition Officer with the defunct City Council of Nairobi, while Ms Catherine Karegi Kamancha's husband was a Senior Officer at the Survey of Kenya, with Ms Catherine Karegi Karanja working with the then Ministry of Lands, Nairobi.
- v) The circumstances under which the two Mr. Charles Munene Gatimu and Ms Catherine Karegi Kamancha obtained the said grant, excluding Charles Karegi Kamancha, whose name was on the subject Letter Allotment issued on 20th July, 1993, have not been explained;
- vi) The Department of Lands in Nairobi issued two Letters of Allotment: one to Charles Arap Sigei, Charles Menene Gatimu, and Catherine Kamancha. The persons in question used their positions to illegally register themselves as the owners of the property.
- vii) A similar Letter of Allotment was issued by the said Department of Lands to Amani Self-Help Group for an UNS-Residential Plot. It is unclear how a Title/Grant could be processed when the members of the said Amani Self-Help Group were on the subject land parcel.
- viii) The Title/Grant for the subject land parcel L.R. 209/11970 was signed by the then Zablon Agwata Mabeya on 15th October, 2010, when the members of Amani Self-Help Group had been in occupation for over ten years;
- ix) On 4th February, 2009, Mr. Charles Munene Gatimu alone swore an Affidavit accompanied by a letter to the Director of Surveys claiming that he had lost the Deed Plan No. 176452 for land Parcel L.R. No. 209/11970. In response to the said letter, a Licensed Surveyor Mrs Rukuku Omalla advised the Director of Surveys, Nairobi, to issue a certified copy of the said Deed Plan and release the same to Arch Surveys by letter dated 12th January, 2009;
- x) The efforts by Amani Self-Help Group to access the Correspondence File (CF) from either the Chief Land Registration Officer, Nairobi or the Director Land Administration have been futile;

- xi) The initial land parcels surrounding the subject Grant L.R. No. 209/9611 have four-digit registration numbers, while L.R. No. 209/11970 has five digits, confirming that the said title/Grant could have been superimposed in the area to secure a title with no records.
- xii) The petitioners argued that it was incumbent upon the Lands Ministry Officials to clarify whether due process was followed in processing the Grant for L.R. No. 209/11970. They also requested that the Cabinet Secretary in charge of Lands make available the application letter for the allocation of land to Charles Arap Sigei, Charles Munene Gatimu, and Catherine Kamanja, along with the respective approvals and any premium payment.

3.2 Ministry of Lands, Public Works, Housing and Urban Development

15. The Principal Secretary, Ministry of Lands, Public Works, Housing and Urban Development, Hon. Generali Nixon Korir, appeared before the Committee on Tuesday, 11th November, 2025, and submitted as follows—

- i) L.R. NO. 209/11970 measuring approximately 0.5235 hectares situated in Dandora/ Mowlem area in Nairobi City County was allocated as un-surveyed industrial plot 'B' to Charles Arap Sigei, Charles Munene Gatimu and Karegi Catherine Kamanja vide a letter of allotment Ref. 98486/ XII dated 20th July, 1993. The allocation was on a 99-year lease term, effective August 1, 1993.
- ii) The offer was accepted, and the statutory fees were paid in 1996. On 26th January, 1998, Charles Arap Sigei, on behalf of the others, applied for consent to transfer the plot, citing insufficient funds to develop it. The plot was transferred to John Mark Omollo Ageng on 4th August, 1998.
- iii) Charles Arap Sigei later requested the cancellation of the transfer via a letter dated 16th March, 2000, citing non-payment by John Mark Omollo Ageng. John Mark Omollo Ageng also acknowledged the cancellation vide an affidavit dated 26th April, 2001. On 24th March, 2000, Charles Arap Sigei transferred his interest in the plot to Charles Munene Gatimu.
- iv) John Mark Omollo Ageng later contested the cancellation of the transfer and moved to the High Court at Nairobi in Civil Suit No. 1269 of 2001. The suit at the High Court was dismissed.
- v) A title document was prepared in favour of Charles Munene Gatimu (2/3 share) and Karegi Catherine Kamanja (1/3 share) and registered as IR No. 132396 on 24th August, 2011.
- vi) The property was currently the subject of an ownership dispute between Charles Munene Gatimu & Catherine Kamanja (Plaintiffs) and Ernest Omwenga and others (Defendants) in ELC Case No. 288 of 2013
- vii) The Committee was informed that the Ministry is awaiting the outcome of the Court case and the National Land Commission's determination of the matter.

PART FOUR

4 COMMITTEE OBSERVATIONS

16. Upon hearing from the Petitioner and the Ministry of Lands, Public Works, Housing and Urban Development, the Committee observed that —

- i) The Petitioners had brought the matter to the National Assembly, subsequent to a high court ruling, Civil Case 288 of 2013, made on 21st September 2023;
- ii) An appeal in Civil Appeal E892 of 2023 by the petitioners, was dismissed by the Court of Appeal on 20th December 2024;
- iii) In both cases, as in the subject of the petition, the contention was on ownership of LR No. 209/11970. The petitioners had not introduced new evidence or information to support their claim, other than those already adjudicated;
- iv) The courts had made findings that indeed Charles Munene Gatimu and Karegi Catherine Kamanja were the true owners of the land, having placed before court *'credible documents, inter alia, Letters of allotment endorsed with a Part Development Plan and ultimately a certificate of title, issued by and on behalf of the Government of Kenya and which certificate of title has never been impugned.'*
- v) Further, the courts found that the Defendants (now petitioners), *'...herein have no lawful rights and/or interests over and in respect of the suit property.'*
- vi) The Committee therefore observed that the petitioners were attempting to re-adjudicate the matter in another forum (the National Assembly), an action generally prohibited under the legal doctrine of *res judicata*.

PART FIVE

5 COMMITTEE RECOMMENDATIONS

17. Pursuant to the provisions of Standing Order 227, the Committee responds to the prayers as follows—

- i) On the prayer that the Public Petitions Committee establishes the status of ownership of Parcel of Land, L.R. No. 209/11970 in Dandora/Mowlem Area, Kangundo Road, in Embakasi West Constituency, vis-a-vis the allegedly illegally acquired title deed held by the private developer, **The Committee acknowledges that in ELC Case No. 288 of 2013 Amani Self Help Group (the Petitioners) were ordered to vacate L.R No. 209/11970 and hand over vacant possession to Charles Munene Gatimu and Karegi Catherine Kamanja as the rightful owners, and that subsequent appeals by the Petitioners were dismissed.**
- ii) On the prayer that the Public Petitions Committee intervene to have the Government, through the Ministry of Lands and Physical Planning to avail or table all legal documents regarding the ownership of Parcel of Land, L.R. No. 209/11970 in Dandora/Mowlem Area, Kangundo Road, Nairobi, in Embakasi West Constituency. **The Committee acknowledges that all documentation were availed to the competent court and were indeed the basis of the court ruling.**

Signed: _____



Date: _____

28/05/26

HON. MUCHANGI KAREMBA, CBS, M.P.

CHAIRPERSON, PUBLIC PETITIONS COMMITTEE

 THE NATIONAL ASSEMBLY PAPERS LAID	
DATE: 28 MAY 2026	
DAY: Thursday	
TABLED BY:	Hon. Maïisari Marwa, MP
CLERK-AT THE-TABLE:	Member, Public Petitions Committee
	Irene Nduku

ANNEXURES

- Annex 1: The Adoption List
- Annex 2: Public Petition No. 9 Of 2024 by Amani Self Help Group, Regarding Ownership Dispute of Land Parcel L.R. No. 209- 11970 – Dandora/Mowlem, Area, Kangundo Road In Embakasi West Constituency
- Annex 3: Minutes of proceedings

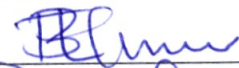
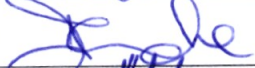
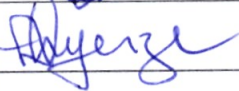
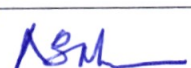
PUBLIC PETITIONS COMMITTEE

ADOPTION LIST

- (i) Consideration and adoption of the Report on P/No. 8 of 2024 regarding ownership dispute of land parcel L.R No. 209-11970 Dandora/Mowlem, Nairobi by Hon Mark Mwenje, MP

We, the undersigned, hereby affix our signatures to this Report to affirm our approval:

DATE: 6/5/2025

	HON. MEMBER	SIGNATURE
1.	Hon. Muchangi Karemba, CBS, M.P. (Chairperson)	
2.	Hon. Janet Jepkemboi Sitienei, CBS, M.P. (Vice Chairperson)	
3.	Hon. Patrick Makau King'ola, M.P.	
4.	Hon. Beatrice Kadeveresia Elachi, CBS, M.P.	
5.	Hon. Joshua Chepyegon Kandie, M.P.	
6.	Hon. Maisori Marwa Kitayama, M.P.	
7.	Hon. Edith Vethi Nyenze, M.P.	
8.	Hon. Patrick Ntwiga Munene, CBS, M.P.	
9.	Hon. Paul Biego Kibichy, M.P.	
10.	Hon. (Eng.) Bernard Muriuki Nebart, M.P.	
11.	Hon. Peter Mbogho Shake, M.P.	
12.	Hon. Suzanne Ndunge Kiamba, M.P.	
13.	Hon. John Bwire Okano, M.P.	
14.	Hon. Sloya Clement Logova, M.P.	
15.	Hon. Peter Irungu Kihungi, M.P.	

MINUTES OF THE 34TH SITTING OF THE PUBLIC PETITIONS COMMITTEE HELD ON WEDNESDAY, 6TH MAY, 2026 IN BAOBAB CONFERENCE ROOM, SERENA HOTEL, MOMBASA COUNTY AT 2:30 P.M.

PRESENT

- | | | |
|--|---|-------------------------|
| 1. Hon. Eric Muchangi Karemba, CBS M.P. | - | Chairperson |
| 2. Hon. Janet Jepkemboi Sitienei, CBS, M.P. | - | Vice-Chairperson |
| 3. Hon. Beatrice Kadeveresia Elachi, CBS, M.P. | | |
| 4. Hon. Joshua Chepyegon Kandie, M.P. | | |
| 5. Hon. Maisori Marwa Kitayama, M.P. | | |
| 6. Hon. (Eng.) Bernard Nebart Muriuki, M.P. | | |
| 7. Hon. Edith Vethi Nyenze, M.P. | | |
| 8. Hon. Paul Biego Kibichiy, M.P. | | |

APOLOGIES

1. Hon. Patrick Makau King'ola, M.P.
2. Hon. Suzanne Ndunge Kiamba, M.P.
3. Hon. Peter Irungu Kihungi, M.P.
4. Hon. Peter Mbogho Shake, M.P.
5. Hon. Sloya Clement Logova, M.P.
6. Hon. Patrick Ntwiga Munene, CBS, M.P.
7. Hon. John Bwire Okano, M.P.

IN-ATTENDANCE

SECRETARIAT

- | | | |
|--------------------------|---|-------------------------------|
| 1. Mr. Victor Weke | - | Principal Clerk Assistant II |
| 2. Ms. Miriam Modo | - | Clerk Assistant I |
| 3. Mr. Bernard Toroitich | - | Clerk Assistant III |
| 4. Ms. Kafuyai Wamae | - | Clerk Assistant III |
| 5. Mr. Clinton Sindiga | - | Legal Counsel II |
| 6. Ms. Nancy Akinyi | - | Research Officer III |
| 7. Mr. Arkan Mumin | - | Research Officer III |
| 8. Mr. Collins Mahamba | - | Audio Officer |
| 9. Ms. Felistas Muiya | - | Public Communications Officer |
| 10. Mr. Rose Njuki | - | Serjeant-at-Arms |

MIN./PPC/2026/176:

PRELIMINARIES

The Chairperson called the meeting to order at 2.30 pm and Hon. Marwa Kitayama said the opening prayer.

MIN./PPC/2026/177:

ADOPTION OF AGENDA

The proposed agenda was adopted having been proposed by Hon. Edith Nyenze, M.P and seconded by, Hon. Janet Sitienei, M.P.

AGENDA

1. Prayer and Preliminaries
2. Adoption of the Agenda
3. Confirmation of previous Minutes
4. Matters Arising
5. **Consideration and Adoption of the following Reports on: -**
 - (i) **Public Petition No. 03 of 2025 by the Government of Taita Taveta County regarding the alleged illegal acquisition of Trust Land L.R No 249 of 1963;**

(ii) **Public Petition No. 09 of 2024 by Amani Self Help Group regarding Ownership Dispute of Land Parcel L.R. No. 209- 11970 – Dandora/Mowlem, Area, Kangundo Road in Embakasi West Constituency; and**

(iii) **Public Petition No. 26 of 2025 regarding payment of outstanding retirement benefits for the 1997 Retired Teachers' Group.**

6. Any Other Business

7. Adjournment and Date of the Next Meeting

MIN./PPC/2026/178: CONFIRMATION OF MINUTES

This agenda item was deferred.

MIN./PPC/2026/179: CONSIDERATION AND ADOPTION OF REEPORTS ON VARIOUS PUBLIC PETITIONS

a) **Public Petition No. 03 of 2025 by the Government of Taita Taveta County regarding alleged illegal acquisition of Trust Land L.R No 249 of 1963**

The Committee unanimously considered and adopted the Draft Report with the following recommendations having been proposed by the Hon. Janet Sitienei, MP and seconded by the Hon. Marwa Kitayama, MP –

(i) **On the prayers that the National Assembly inquires into the legal status of the land L.R No.249 of 1963;** the committee found that the said land LN.249 of 1963 is part of Tsavo West National Park and is a protected area for purposes of wildlife conservation.

(ii) **On the prayer that the National Assembly makes any other recommendations that it may deem fit in addressing the plight of the Petitioners;** the committee recommends that the Nyario ya Kididi cha Bhatuweta community presents the matter before the National Land Commission as a formal historical land injustice claim.

b) **Public Petition No. 9 of 2024 by Amani Self Help Group regarding Ownership Dispute of Land Parcel L.R. No. 209- 11970 – Dandora/Mowlem, Area, Kangundo Road in Embakasi West Constituency**

The Committee unanimously considered and adopted the Draft Report with the following recommendations having been proposed by the Hon. Nerbert Muriuki, MP and seconded by the Hon. Marwa Kitayama, MP –

(i) On the prayer that the Public Petitions Committee establishes the status of ownership of Parcel of Land, L.R. No. 209/11970 in Dandora/Mowlem Area, Kangundo Road, in Embakasi West Constituency, vis-a-vis the allegedly illegally acquired title deed held by the private developer, **The Committee acknowledges that in ELC Case No. 288 of 2013 Amani Self Help Group (the Petitioners) were ordered to vacate L.R No. 209/11970 and hand over vacant possession to Charles Munene Gatimu and Karegi Catherine Kamanja as the rightful owners, and that subsequent appeals by the Petitioners were dismissed.**

(ii) On the prayer that the Public Petitions Committee intervene to have the Government, through the Ministry of Lands and Physical Planning to avail or table all legal documents regarding the ownership of Parcel of Land, L.R. No. 209/11970 in Dandora/Mowlem Area, Kangundo Road, Nairobi, in Embakasi West Constituency. **The Committee acknowledges that all documentation were availed to the competent court and were indeed the basis of the court ruling.**

c) **Public Petition No. 26 of 2025 regarding payment of outstanding retirement benefits for the 1997 Retired Teachers' Group**

The Committee unanimously considered and adopted the Draft Report with the following recommendations having been proposed by the Hon. Beatrice Elachi, MP and seconded by the Hon. Joshua Kandie, MP –

- (i) **On the prayer that the Committee investigates and establishes the status of implementation of the court decisions regarding payment of retirement benefits to the 1997 retired teachers;** the Committee notes that the court decisions in Simon P. Kamau and 190 Others vs. TSC (Nakuru HCCC No. 65 of 2006) were final and binding. The Government subsequently implemented the award by identifying 23,487 eligible teachers (those who retired between 1st July 1998 and 30th June 2003). Of these, 22,600 teachers have been paid a total of Kshs. 17,776,459,524. A balance of 887 claims remain pending, the majority of which (1997/98 cohort) attract no additional financial entitlement, with only a small fraction undergoing routine finalization.
- (ii) **On the prayer that the Committee recommends immediate settlement of all outstanding dues and arrears to the affected teachers or their legal representatives, including those unaccounted for in the 1,733 pending cases;** the Committee recommends that the National Treasury settles the outstanding 887 pending claims within ninety (90) days of tabling of this report.
- (iii) **On the prayer that the Committee directs the Teachers Service Commission and the National Treasury to provide a comprehensive report on payments made, beneficiaries, and the remaining unpaid amounts;** the Committee notes that the Teachers Service Commission and the National Treasury did submit the list of beneficiaries and status of payment of all beneficiaries.
- (iv) **On the prayer that the Committee ensures budgetary allocation is made in the next financial cycle to fully settle the outstanding pension and gratuity arrears in accordance with the final court rulings;** the Committee notes that the National Treasury confirmed that existing funds were adequate to settle the outstanding balances.

MIN./PPC/2026/180:

ADJOURNMENT AND DATE OF THE NEXT MEETING

There being no other business, the meeting was adjourned at 5:30 p.m.

Sign:

HON. MUCHANGI KAREMBA, CBS, M.P.
CHAIRPERSON, PUBLIC PETITIONS COM

Date 28/05/26.

**MINUTES OF THE 22ND SITTING OF THE PUBLIC PETITIONS COMMITTEE
HELD ON FRIDAY, 20TH MARCH, 2026 IN FRANGAPINI CONFERENCE ROOM,
SERENA HOTEL, MOMBASA COUNTY AT 2:00 P.M.**

PRESENT

- | | | |
|---|---|-------------------------|
| 1. Hon. Eric Muchangi Karemba, CBS M.P. | - | Chairperson |
| 2. Hon. Janet Jepkemboi Sitienei, CBS, M.P. | - | Vice-Chairperson |
| 3. Hon. Joshua Chepyegon Kandie, M.P. | | |
| 4. Hon. Maisori Marwa Kitayama, M.P. | | |
| 5. Hon. (Eng.) Bernard Nebart Muriuki, M.P. | | |
| 6. Hon. Edith Vethi Nyenze, M.P. | | |
| 7. Hon. Suzanne Ndunge Kiamba, M.P. | | |
| 8. Hon. Peter Irungu Kihungi, M.P. | | |
| 9. Hon. Peter Mbogho Shake, M.P. | | |
| 10. Hon. Paul Biego Kibichiy, M.P. | | |
| 11. Hon. Sloya Clement Logova, M.P. | | |

APOLOGIES

1. Hon. Patrick Makau King'ola, M.P.
2. Hon. Beatrice Kadeveresia Elachi, CBS, M.P.
3. Hon. Patrick Ntwiga Munene, CBS, M.P.
4. Hon. John Bwire Okano, M.P.

IN-ATTENDANCE

SECRETARIAT

- | | | |
|--------------------------|---|-------------------------------|
| 1. Mr. Victor Weke | - | Principal Clerk Assistant II |
| 2. Ms. Miriam Modo | - | Clerk Assistant I |
| 3. Mr. Bernard Toroitich | - | Clerk Assistant III |
| 4. Ms. Kafuyai Wamae | - | Clerk Assistant III |
| 5. Mr. Clinton Sindiga | - | Legal Counsel II |
| 6. Ms. Nancy Akinyi | - | Research Officer III |
| 7. Mr. Arkan Mumin | - | Research Officer III |
| 8. Mr. Collins Mahamba | - | Audio Officer |
| 9. Mr. Calvin Karungo | - | Media Relations Officer III |
| 10. Ms. Felistas Muiya | - | Public Communications Officer |
| 11. Mr. Paul Shana | - | Serjeant at Arm |

MIN./PPC/2026/115:

PRELIMINARIES

The Chairperson called the meeting to order at 2:30 pm.

MIN./PPC/2026/116:

ADOPTION OF AGENDA

The proposed agenda was adopted having been proposed by Hon. Eng Nerbart Muriuki, M.P and seconded by, Hon. Peter Irungu Kihungi, M.P

AGENDA

1. Prayer and Preliminaries
2. Adoption of the Agenda
3. Confirmation of previous Minutes
4. Matters Arising
5. **Consideration and adoption of the following public petition reports:**
 - i. **P/No. 8 of 2024 regarding Ownership dispute of land parcel L.R No. 209-11970 Dandora/Mowlem, Nairobi by Hon Mark Mwenje, MP; and**
 - ii. **P/No. 58 of 2023 Amendment to the Estate Duty Act to entrench taxation equality by Mr. Godfrey Maina, Mr. Kevin Kiarie, Mr. Muhia Kagwi and Mr. John Wangai.**
 - iii. **Petition No. 11 Of 2025 Regarding Compensation and land Allocation To Mau Mau War Veterans by Hon. Rahim Dawood, Mp**
6. Any Other Business
7. Adjournment.

MIN./PPC/2026/0117: CONFIRMATION OF MINUTES

This agenda item was deferred to the next sitting.

MIN./PPC/2026/118: CONSIDERATION AND ADOPTION OF PUBLIC PETITIONS

- a) **P/No. 8 of 2024 regarding Ownership Dispute of land parcel L.R No. 209-11970 Dandora/Mowlem, Nairobi by Hon Mark Mwenje, MP**

Adoption of the report on Public Petition P/No. 9 of 2024 regarding the ownership dispute of land parcel L.R. No. 209/11970, Dandora, Mowlem, was deferred to allow the Secretariat to establish—

- (i) whether the matter is active in court, to rule out the aspect of sub-judice; and
- (ii) when the matter was taken to court, to establish which institution initially considered the matter.

- b) **P/No. 58 of 2023 Amendment to the Estate Duty Act to entrench taxation equality by Mr. Godfrey Maina, Mr. Kevin Kiarie, Mr. Muhia Kagwi and Mr. John Wangai;**

Pursuant to the provisions of Standing Order 227, the Committee responds to the petition as follows—

On the prayer that the National Assembly repeals section 7(3) of the Estate Duty Act, the Committee recommends that the Petition be dismissed as it has been rendered moot by the enactment of the Estate Duty (Abolition) Act.

- c) **Petition No. 11 Of 2025 Regarding Compensation and land Allocation To Mau Mau War Veterans by Hon. Rahim Dawood, Mp**

Pursuant to the provisions of Standing Order 227, the Committee makes the

following recommendations as per the prayers -

- (i) On the prayer the Committee intervenes to ensure that the Mau Mau War Veterans and their families are resettled on their ancestral land, which was alienated by the colonial government and white settlers; **the Committee recommends that immediately, the petitioners should formally lodge a claim before the National Land Commission in accordance with Article 67(2)(e) of the Constitution, section 15 of the National Land Commission Act, and the National Land Commission (Investigation of Historical Land Injustices) Regulations, to enable the Commission investigate the alleged historical land injustices and recommend appropriate redress where applicable.**
- (ii) On the Prayer that the Committee recommends the establishment of regional representation of the Mau Mau war veterans within the Mau Mau War Veterans Association; **the Committee recommends that within nine (9) months upon tabling of this report, the Ministry of Gender, Culture and Children Services, in consultation with the leadership of the Mau Mau War Veterans Association, should facilitate the establishment of inclusive governance structures within the Association to ensure adequate regional representation of members across the country.**
- (iii) On the Prayer that the Committee recommends the official recognition and commendation of the Mau Mau Movement under the First Schedule of the Kenya Heroes Act; **the Committee recommends that:**
 - a) **Within nine (9) months upon tabling of this report, the National Heroes Council conducts a countrywide mapping-out of all heroes/ heroines and honours them in the 2026 Mashujaa Day celebrations; and**
 - b) **The Cabinet Secretary of The National Treasury and Economic Planning should operationalize the National Heroes Fund in the FY2026/2027 to enable the council fulfil its statutory obligations.**
- (iv) On the Prayer that the Committee engages the National Land Commission to investigate pre-colonial land injustices committed against the Mau Mau veterans; **the Committee recommends that Within three (3) months of tabling of this report, the National Land Commission, upon receipt of a formal claim from the Petitioners or their representatives, should assess admissibility and undertake investigations in accordance with the Constitution, the National Land Commission Act, and applicable Regulations and report back to the National Assembly.**

Adoption of the Report

12. The Committee unanimously adopted having been proposed by Hon. Suzanne Ndunge Kiamba, M.P and seconded by Hon. (Eng.) Bernard Nebart Muriuki, M.P.

MIN./PPC/2026/119:

ADJOURNMENT

There being no other business, the meeting was adjourned at 4:30 p.m. The next meeting will be held in the afternoon in the same venue.

Sign:

Date1/4/2026.....

HON. MUCHANGI KAREMBA, CBS, M.P.

CHAIRPERSON, PUBLIC PETITIONS COMMITTEE



REPUBLIC OF KENYA
THE NATIONAL ASSEMBLY

MINUTES OF THE 51ST SITTING OF THE PUBLIC PETITIONS COMMITTEE HELD ON WEDNESDAY, SEPTEMBER 11, 2024, IN CONFERENCE ROOM GARDEN SUITE 1&2, 6TH FLOOR, GARDEN INN HOTEL AT 12.00. P.M

PRESENT

- | | |
|---|------------------|
| 1. Hon. Nimrod Mbithuka Mbai, M.P. | Chairperson |
| 2. Hon. Janet Jepkemboi Sitienei, M.P. | Vice Chairperson |
| 3. Hon. Joshua Chepyegon Kandie, M.P. | |
| 4. Hon. John Walter Owino, M.P. | |
| 5. Hon. Ernest Ogesi Kivai, M.P. | |
| 6. Hon. Maisori Marwa Kitayama, MP | |
| 7. Hon. Bidu Mohamed Tubi, M.P. | |
| 8. Hon. (Eng.) Bernard Muriuki Nebart, M.P. | |
| 9. Hon. Edith Vethi Nyenze, M.P. | |
| 10. Hon. Peter Mbogho Shake, M.P. | |
| 11. Hon. Suzanne Ndunge Kiamba, M.P. | |
| 12. Hon. Caleb Mutiso Mule, M.P. | |

APOLOGIES

1. Hon. Patrick Makau King'ola, M.P.
2. Hon. Sloya Clement Logova, M.P.
3. Hon. John Bwire Okano, M.P.

IN ATTENDANCE

SECRETARIAT

- | | |
|-------------------------|-----------------------------------|
| 1. Ms. Miriam Modo | Clerk Assistant I |
| 2. Mr. Willis Obiero | Clerk Assistant III |
| 3. Ms. Patricia Gichane | Legal Counsel II |
| 4. Mr. Martin Sigei | Research Officer III |
| 5. Ms. Nancy Akinyi | Research Officer III |
| 6. Ms. Felistus Muiya | Public Communications Officer III |
| 7. Mr. Peter Mutethia | Audio Officer |
| 8. Mr. Calvin Karungo | Media Relations Officer III |
| 9. Mr. Paul Shana | Sergeant-at-Arms |

PETITIONERS

1. Hon. Mark Mwenje, MP
2. Mr. Marungu Imanyara
3. Mr. Thomas Maosa
4. Mr Protus Mandela
5. Mr. Amir Ali
6. Mr. Robert Simiyu
7. Ms. Mercy Kananu

MIN./PPETC/2024/320: PRELIMINARIES

The Chairperson called the meeting to order at 12:00 noon. and proceedings began with prayers by Hon. Edith Nyenze, M.P.

MIN./PPETC/2024/ 321: ADOPTION OF AGENDA
AGENDA

1. Prayer
2. Adoption of the Agenda
3. Confirmation of minutes of previous sittings
4. Matters Arising
5. Consideration of P/No. 9 of 2024 regarding Ownership dispute of land parcel L.R. No. 209-11970 -Dandora/Mowlem, Area, Kangundo Road, Nairobi in Embakasi West Constituency

- Meeting with the Petitioner (Hon. Mark Mwenje, MP)

6. Any Other Business
7. Adjournment

The Agenda was adopted to constitute business having been proposed by Hon. Joshua Kandie, M.P. and seconded by Hon. Edith Nyenze, M.P.

MIN./PPETC/2024/322: CONFIRMATION OF MINUTES OF PREVIOUS SITTINGS

The agenda was deferred.

MIN./PPETC/2024/323: CONSIDERATION OF P/NO. 9 OF 2024 REGARDING OWNERSHIP DISPUTE OF LAND PARCEL L.R. NO. 209-11970 - DANDORA/MOWLEM, AREA, KANGUNDO ROAD, NAIROBI IN EMBAKASI WEST CONSTITUENCY

Meeting with the Petitioner, Hon. Mark Mwenje, MP

The Petitioner, Hon. Mark Mwenje appeared before the Committee and submitted as follows:

Background

1. The Petitioners have been residing in Dandora/Mowlem, Area, Kangundo Road, Nairobi in Embakasi West Constituency in Land Parcel L.R. No. 209/11970 since the year 2000;
2. The initial survey details had indications the land was designated as land; hence lacking a title till one was allegedly processed and issued on 15th October 2010;
3. The members initially were 74 but are now a large and enterprising community of over 260 residents. They have constructed permanent houses and shopping centers on the land parcel including social amenities, including schools, with electricity and water connectivity;
4. The land is now being claimed by a Mr. Charles Munene Gatimu and a Ms Catherine Karegi Kamancha who proceeded to secure a grant on 15th October,

2010. Mr. Charles Munene Gatimu previously served as a Senior Demolition Officer with the defunct City Council of Nairobi; while Ms Catherine Karegi Kamanja's husband was a Senior Officer at the Survey of Kenya, with Ms Catherine Karegi Kamanja working with the then Ministry of Lands, Nairobi;

5. The circumstances under which the two Mr. Charles Munene Gatimu and Ms Catherine Karegi Kamanja obtained the said grant excluding Charles Karegi Kamanja, whose name was on the subject Letter Allotment issued on 20th July, 1993 have not been explained;
6. The Department of Lands in Nairobi issued out two Letters of Allotment: one to Charles Arap Sige, Charles Menene Gatimu, and Catherine Kamanja. These persons used their positions to illegally resister themselves as the owners of the said property;
7. A similar Letter of Allotment was issued by the said Department of Lands to Amani Self-Help Group for an UNS-Residential Plot. It is unclear how a Title/Grant could be processed when the members of the said Amani Self-Help Group were on the subject land parcel;
8. The Title/Grant for the subject land parcel L.R. 209/11970 was signed by the then Zablon Agwata Mabeya on 15th October, 2010 when the members of Amani Self-Help Group had been in occupation for over ten years;
9. On 4th February, 2009, Mr. Charles Munene Gatimu alone swore an Affidavit accompanied with a letter to the Director of Surveys claiming that he had lost the Deed Plan No. 176452 for land Parcel L.R. No. 209/11970. In response to the said letter a Licensed Surveyor Mrs Rukuku Omalla advised the Director of Surveys Nairobi to issue a certified copy of the said Deed Plan and release the same to Arch Surveys by letter dated 12th January, 2009;
10. The efforts by Amani Self-Help Group to access the Correspondence File (CF) from either the Chief Land Registration Officer, Nairobi or the Director Land Administration has been futile;
11. The initial land parcels surrounding the subject Grant L.R. No. 209/9611 have registration numbers with Four digits while L.R. No. 209/11970 has Five Digits a confirmation that the said title/ Grant could have been superimposed in the area to secure a title which has got no records; and
12. It is incumbent upon the Lands Ministry Officials to table clarification as to whether due process was followed in the processing of the Grant for L.R. No. 209/11970. The Cabinet Secretary in charge of Lands makes available the Letter of application for allocation of the land by Charles Arap Sigei, Charles Munene Gatimu, and Catherine Kamanja; and the respective approvals: and any premium payment.

Prayers

13. The Petitioners prayed that the Committee-

- (i) Establishes the status of ownership of Parcel of Land, L.R. No. 209/11970 in Dandora/Mowlem Area, Kangundo Road, Nairobi in Embakasi West Constituency vis-a-vis the allegedly illegally acquired title deed held by the private developers;

- (ii) Intervenes to have the Government through the Ministry of Lands and Physical Planning to avail or table all legal documents in regard to ownership of Parcel of Land, L.R. No. 209/11970 in Dandora/Mowlem Area, Kangundo Road, Nairobi in Embakasi West Constituency; and
- (iii) Makes any other order or direction that it deems fit in the circumstances of this matter.

Committee Concerns

1. The Petitioners provided evidence of land ownership by citing a residential allotment letter dated 1st July 1998, issued by the Commissioner of Lands to the group. Since the land in question is public, most claimants sought allotment letters from both the County Government of Nairobi and the Ministry of Lands to ensure compliance on both fronts.
2. Regarding who benefited from the allotment letters and whether they were issued in the same year, the Petitioners clarified that the Amani Self-Help Group received an allotment letter for the same parcel of land. This was the second allotment issued, in favor of the three parties involved. The last allotment was a grant to the Amani Self-Help Group.
3. Concerning how the group settled on the land, the Petitioners explained that they initially consisted of a small group of squatters who built temporary structures on the land in 2001/2002. With the support of local politicians, they later organized and were permitted to settle fully on the land.
4. On the issue of eviction attempts and the status of the settlement, the Petitioners noted that several individuals who claimed ownership had attempted to evict the occupants, though they had never actually occupied the land themselves. They also tried to file a court case for eviction, but the issue of ownership had never been fully litigated. The settlement currently includes roads, amenities, and government projects aimed at developing the 1.4-acre area, which houses about 200 people.
5. Addressing inconsistencies in the allotment process, the Petitioners mentioned that three allotments were issued: one in favor of Charles Arap Sigei, another to Charles Munene Gatimu and Catherine Kamanja, and the last to the Amani Self-Help Group. These allotment letters were issued by the same institution to multiple entities, but at the time of settlement, no disputes over the land had arisen. The allotment letter to Charles Arap Sigei was given retroactively, likely to justify an irregular issuance. The land remained vacant until the Amani group settled in 2000, and the document from 1993 was unverified and possibly fraudulent, intended to undermine the group's rightful occupation.
6. Regarding the original purpose of the land, the Petitioners clarified that it was designated for public use in Nairobi under the former city council. The Ministry would grant the county authority to manage such lands, although some parcels that hosted government administration offices were still administered by the Ministry.
7. Finally, concerning the Amani Self-Help Group's ownership documents, the Petitioners confirmed that they were issued an allotment letter dated 17th July 2003 (11344/R) for approximately 2.6 hectares from the Nairobi City Council. Additionally, they received another allotment letter from the Department of Lands for an un-surveyed residential plot in Nairobi measuring 0.5 hectares.

Committee Resolution

After deliberations, the Committee resolved to invite the Ministry of Lands, Public Works, Housing, and Urban Development to provide a response to the Petition and the Petitioner to provide any other relevant information on the Petition.

MIN./PPETC/2024/324:

ADJOURNMENT AND DATE OF NEXT MEETING

The Chairperson adjourned the meeting at 01:30 p.m. The next meeting will be held on Thursday, 12th September 2024 at 2:00 p.m.

Sign: 

For (CHAIRPERSON)

Date.....19-11-2024.....



REPUBLIC OF KENYA

MINISTRY OF LANDS, PUBLIC WORKS, HOUSING AND URBAN DEVELOPMENT

MEETING WITH THE PUBLIC PETITIONS COMMITTEE ON VARIOUS PETITIONS

Honorable Chair,

Pursuant to a letter Ref. NA/DAA&GPC/PPC/2025/037 dated 21st October, 2025, the Committee invited the Cabinet Secretary Ministry of Lands, Public Works, Housing and Urban Development to a meeting to provide information to facilitate consideration of the following petitions:

- i. P/No. 68 of 2023 regarding irregular and double allocation of parcels of land in Chepchoina, (Phase I and II) settlement schemes in Trans Nzoia County;
- ii. P/No. 82 of 2023 regarding the degazettement of Boni-Lungi Forest in Lamu East Constituency;
- iii. P/No. 5 of 2024 on illegal acquisition of parcels of land registered as Kapkakaran farm LR. No.5423/2 and LR. No.6053 in Nandi Hills Sub-County, Nandi County;
- iv. P/No. 8 of 2024 regarding ownership dispute of land parcel L.R No. 209/11970 - Dandora/Mowlem, Area Kangundo Road, Nairobi in Embakasi West Constituency;
- v. P/No. 19 of 2024 regarding settlement of residents of Oljorai Community in Oljorai, Farm in Nakuru County; and
- vi. P/No. 6 of 2025 regarding persistent harassment and unlawful eviction of people living on L.R No. 176/111/MN in Mwendo wa Panya Village, Mtepeni Ward, Kilifi South Constituency.

RESPONSES

1. Public Petition No. 68 of 2023 regarding Irregular and double allocation of parcels of land in Chepchoina, (Phase I and II) settlement Schemes in Trans Nzoia County;

PETITION

The petitioners who are residents of Chepchoina Settlement Schemes in Trans Nzoia County state that they are experiencing inter-personal conflicts occasioned by irregular, illegal, fraudulent, discriminative and double allocation of settlement land allegedly by the Land Officers in Kitale. They claim that they have resided on the land for the last 29 years having been identified as landless and settled by the Government in 1994.

They aver that hundreds of genuine residents who do not have means to defend themselves are evicted from their farms, subjected to physical, emotional and psychological suffering. However, those with illegal, irregular and fraudulent title deeds seek police assistance and protection to evict land owners/families and demolish their homes. They further allege that settlement officers in Kitale, through bribes and fraud have continued to discharge and transfer parcels already developed and settled by genuine land owners. They claim that the officers demand bribes for up to 500,000 from those that request for their parcels to be reverted back.

The petitioners, therefore, pray that the National Assembly through the Public Petitions Committee to:

- i. Recommend for investigations into alleged irregular, illegal and double allocation of settlement land in Chepchoina Phase I and II and fraudulent issuance of title deeds and incessant corruption characterized by demands for huge bribes for government services;
- ii. Recommend that squatters who have settled for more than 29 years in Chepchoina Phase III be given priority during settlement of residents in the area;
- iii. Recommend for investigations into conduct of settlement officers for failing to adhere to the Land Act, Leadership and Integrity Act in the course of their duties while settling residents; and, that appropriate disciplinary action be taken; and
- iv. Makes any other recommendation or action it deems fit in addressing the plight of the Petitioners.

RESPONSE

Background

Honourable Chair, Chepchoina Settlement Scheme in Endebess Sub-County was acquired by the Settlement Fund Trustees (SFT) from the Agricultural Development Corporation (ADC) in the year 1998/1999 for resettlement of squatters and other landless Kenyans. Implementation of the scheme was done in 3 phases for ease of management.

Chepchoina Phase I – Scheme No. 608

This phase covers approximately 4400 Acres with a total of 665 plots. The plots measured approximately five (5) Acres each. It was originally established in 1994 by the then Provincial Administration who issued letters of offer to beneficiaries. Planning, surveying and demarcation was later done by the Department of Land Adjudication and Settlement, regularizing the previous allottees and issuing letters of offer in 2008/2009.

Chepchoina Phase II Scheme No. 618

The phase was established in 2010. It covers an area of approximately 7300 Acres. After planning and surveying, letters of offer were issued to beneficiaries in 2012. Phases I and II are registered with fully-paid plots being discharged and transferred.

Chepchoina Phase III – Scheme No. 632

This phase was established in 2012 and covers an area of approximately 3000 Acres. The demarcation was completed in 2013. However, due to insecurity in the area, activities in the scheme were suspended since the scheme was invaded by people from outside Trans Nzoia County. The intruders filed Petition No. 2 of 2014 at the Environment and Land Court in Kitale that was determined in favour of Settlement Fund Trustee (SFT) and other defendants in 2020.

Survey work resumed in 2021 and a total of 970 plots measuring between 2.5 to 5 Acres realized. Letters of offer were issued to the beneficiaries. Loan repayment is ongoing with plots being discharged.

Honourable Chair, in response to Question (i), the Ministry is not aware of any irregular, illegal and double allocation of settlement land in Chepchoina Phase I and II or fraudulent issuance of title deeds. All Phases of the scheme were completed successfully and due process followed. The plots were allocated to the beneficiaries through the Sub-County selection committee. The Ministry's Sub County office has no mandate to allocate land in the scheme.

Honourable Chair, in response to Question (ii), Chepchoina Phase III Settlement Scheme was finalized in 2013 when all the squatters were captured during identification and verification of beneficiaries. The county being cosmopolitan, beneficiaries comprised of members from different communities. The claim of excluding people who have settled in the scheme for 29 years is therefore not accurate. However, it is true there have been sporadic inter-community skirmishes in the Scheme mainly caused by invaders from the neighboring county. The Ministry is not aware of any evictions as incidences of evictions are handled by the Ministry of Interior and National Administration.

During the time of insecurity, some allottees fled and left their farms, but with improved security they returned. On return, some allottees found intruders in their farms necessitating intervention by security agencies.

Some of the allottees who benefited from Phase II sold off their plots before accepting the offer or occupying their plots. This was in breach of conditions of allocation. Due to the breach of conditions of allocation, the plots were reallocated to other beneficiaries. The allottees failed to inform the buyers of the non-acceptance of the offer and usually cite double allocation when confronted on the same by the buyers.

Honourable Chair, in response to Question (iii), the Ministry has enhanced collaboration with investigative agencies to ensure prompt responses to any allegations of misconduct of our officers with a view of taking appropriate disciplinary action if need be.

Claims of irregular, illegal and double allocation were filed in court through civil case NO. E/004 of 2024 in the Environment and Land Court at Kitale. The case did not proceed for lack of evidence to confirm the allegations of ownership of land in the scheme. The issue of double allocation does not arise since the plots are only re-allocated when the original allottee fails to accept the offer and take possession of the plot.

Honourable Chair, the Ministry will cooperate with investigative agencies (The Ethics and Anti-Corruption Commission and the Directorate of Criminal Investigations) once they open investigations into the process of land allocation in Chepchoina.

Following complaints received on inability to pay for the land so offered, the Land Settlement Fund Board of Trustees requested the Cabinet to grant a waiver on interest accruing that is in excess of Kshs 5. 6 billion in all Settlement Schemes

which was granted and is awaiting Gazettement by the Cabinet Secretary, National Treasury.

2. Public Petition Number 82 of 2023 regarding the degazettement of Boni-Lungi Forest in Lamu East Constituency.

PETITION

The petitioners who are residents of Lamu East Constituency claim that they have inhabited Boni Lungi area, an area measuring approximately 39, 925. 7 hectares. They claim that they are over 480 households of the Aweer Community. They aver that vide a Gazette Notice No. 1447 of 2016 published on 4th March 2016, the Cabinet Secretary for Environment and Natural Resources and Regional Development Authorities declared Boni-Lunga as a State Forest. The petitioners claim the gazettement was done without public participation and was in breach of the provisions of Article 69 (1)(d) of the Constitution.

They further claim that the land in question is actually Community land and that they have been farming and depending on resources such as natural fruits, honey, plants for traditional medicine and building materials. They added that efforts to solve the issue and attain a workable solution to this concern have proven futile.

The petitioners therefore pray that the National Assembly through the public petitions Committee:

- i. Investigates the matter and compels the Ministry of Environment, Climate Change and Forestry to degazette Boni Lungi as a state forest.
- ii. Recommend that the Cabinet Secretary for Lands, Public Works, Housing and Urban Development in consultation with the County Government of Lamu to facilitate the registration of Boni Lungi as a Community land pursuant to Article 63(5) of the Constitution and other applicable laws; and;
- iii. Makes any other order and/or direction that it deems fit in the circumstances of the matter.

RESPONSE

Honourable Chair, Boni-Lungi Forest was gazetted as a forest by the Ministry of Environment, Climate Change and Forestry vide legal notice number 261 dated 3rd November 2016 and a boundary plan number 175/433 was prepared by Director of Surveys declaring it as a public forest. It is only the Ministry of Environment which can advise if the de-gazettement can be done to enable the process of conversion of the forest to community land for purposes of settlement of the people residing in it. **Annexure 1** is a copy of legal notice no. 261 and boundary plan no. 175/433.

3. Public Petition Number. 5 of 2024 on Illegal acquisition of parcels of land registered as Kapkakaran farm LR. No.5423/2 and LR. No.6053 in Nandi Hills Sub-County, Nandi County.

PETITION

The petitioners claim that Kapkakaran Farm LR. No 5423/2 and LR. 6053 located in Nandi County was part of parcels of land expropriated by the White Colonial Settlers in the early 1940s. Following negotiations with the community and the local leadership, Kakuzi Limited, who were the last owners of the farms, willingly, gave back parts of Blocks of the land to the community for establishment of public institutions and settlement of squatters.

They state that, among the Blocks of land donated by Kakuzi Ltd, to the community was Septon, Title No. 5423/2 measuring 433.02 Hectares. In particular, 242 Acres (96.44 Ha.) was to be used for the establishment of Kapkakaran Technical (Secondary) School and Block (Septon Syndicate) of Title No. 6053 measuring 440 Acres earmarked for the settlement of squatters;

They further claim that between April to August 1985, Hime & Zimmerline Licensed Surveyors began the initial discussion on how the matter of expunging the land Title No. 5423/2 from the bigger Block. On January 26, 1993, Kaplan and Stratton law firm did a letter that enclosed the schedule of shareholders of both Siret Tea Co. Ltd and Kakuzi Ltd as the transfer was first to move both lands (LR. 5423/2 and LR. 6053) from Siret Tea Co Ltd to the parent holding company, Kakuzi Ltd and consequently to the squatters legally registered firm.

The petitioners state that on March 24, 1993, Kakuzi Ltd did a letter to the community through the Chairman of Kapkakaran Farmers' Co-operative Society Ltd, in response to a letter the community had done on March 5, 1993 and confirming that the company was still committed to donating LR No.6053 in addition to LR No. 5423/2 to the community for construction of the said Technical Secondary School.

They aver that on 2nd June, 1993, Mr. P. N Mogire on behalf of the Commissioner of Lands gave a final sub-divisional approval of LR No.5423/2 (433.02 Ha.) and excised 96.88 Hectares placing the new title number of the block for the community as LR No. 5423/4. On 2nd July, 1993, a Gazette Legal Notice No. 173 was published where Siret Tea Company Ltd transferred LR No.5423/2,1070 Acres and LR No. 6053 of 440 Acres among others.

On 24th June, 1994, Block LR No. 5423/2 was transferred from Siret Tea Company Ltd to Kakuzi Ltd, and the same day the same parcel of land was allegedly transferred illegally from Kakuzi Ltd to a private developer by the name Tinderet Development Trust Company. They claim that Tinderet Development Trust Company Ltd is a non-existent company as per the response letter from the Registrar of Companies dated 6th August, 2015 which then makes the transfer of the community land to a phantom company null and void.

They add that Kakuzi Ltd is yet to declare the status of LR No. 6053 which they had expressly intended as a company to unequivocally transfer to the community vide letter dated 24th March, 1993.

The Petitioners lands, public works and urban development and the National Land Commission (NLC) pray that the National Assembly through the Public Petitions Committee should:

- i. Engage the Ministry of Lands, Public Works, Housing and Urban Development and other relevant authorities with a view to Investigating into the alleged irregular and illegal acquisition of Kapkakaran Farm LR.No. 5423/2 and LR. 6053 by Tinderet Development Trust Company;
- ii. Propose that the matter of resettlement of squatters who have occupied the Kapkakaran Farm LR. No 5423/2 and LR. 6053 land for the last 50 years be given priority during settlement of residents in the area;
- iii. Recommend investigations into the conduct of officers responsible for the settlement of the squatters for failing to adhere to land laws in the course of their duties while settling residents; and, that appropriate disciplinary action be taken; and,
- iv. Make any other recommendation or action it deems fit in addressing the plight of the Petitioners.

RESPONSE

Honourable Chair, Certificate of title LR. NO. 6053 (IR. NO. 2507) was initially registered in favour of Walter Scott Wilson and Vicomte Jacques De Sibour as tenants in common in equal shares on 17th October, 1928. The land is situated in South East of Kapsabet Nandi District of the then Nyanza province. It measures approximately 440 Acres with the dimensions abutments and boundaries thereof delineated on survey plan number 26317 for an annual rent of Kshs. 88/= (revisable).

A number of transactions have been registered against the title since as indicated in the copy of title attached herein. **Annexure 2** is a copy of the title. The land was

charged to Land and Agriculture Bank of Kenya on 18th March, 1932 and a further charge in favour of the same financial institution was registered on 15th August, 1933. The property was however, discharged on 12th March, 1943. On May 29, 1941 a short-term lease for five years was registered in favour of Seplon Syndicate Limited and it was consequently surrendered on 8th July, 1942.

Honourable Chair, the land was transferred to George Edward Cunynghame Robertson and Struan James Conynghame Robertson for a consideration of Kshs. 52,800/=. **Annexure 3** is a copy of the transfer document. A charge in favour of the new proprietor was registered on the same day. On 8th June, 1948 the property was transferred to Siret Tea Company Limited for a consideration of Kshs. 246,000/=. **Annexure 4** is a copy of the transfer instrument. Consequently, the property was charged severally in favour of different financial institutions and on 23rd June, 1994 the property was discharged and was freed from all encumbrances. On the same date it was transferred to Kakuzi Limited for a consideration of Kshs. 4,050,390/= (together with other lands). **Annexure 5** is a copy of the search.

Honourable Chair, LR. NO. 5423 (Original No. 1375/1) was initially registered in favour of Thomas Arthur Kershaw Turton for an annual rent of Kshs 286/10. The land measures approximately 1420.5 Acres and is situated in S.E of Kapsabet in Nandi District. On 24th February, 1948 this parcel was subdivided and transferred to Siret Tea Company Limited LR. NO. 5423/2 measuring approximately 1070 Acres for an annual rent of Kshs. 241/=. Lr. No. 5423/2 was thereafter transferred to Kakuzi Limited for a consideration of Kshs. 4,050,390/= on 24th June, 1994. **Annexure 6** is a copy of the search.

Honourable Chair, on 15th December, 1995 Kakuzi limited excised approximately 239.29 Acres from LR NO. 5423/2 and transferred the same to Tinderet Development Trust Company Limited as LR. NO. 5423/4 (IR. NO. 68679) for an annual rent of Kshs. 59,330/= (revisable).

Honourable Chair, according to our records both parcels are still private land registered in favour of Kakuzi limited and are therefore not available for adjudication and settlement programmes until they are surrendered to the Government.

4. Public petition No. 08 of 2024 regarding ownership dispute of land parcel LR No. 209/11970 - Dandora/ Mowlem, Area Kangundo Road, Nairobi in Embakasi West Constituency;

PETITION

The petitioners state that their families have been residing in Dandora/Mowlem, Area, Kangundo Road, Nairobi in Embakasi West Constituency in Land Parcel L.R. No. 209/11970 since the year 2000. They state that initial survey details had indications that the same was designated as Public Land hence lacking a title till one was allegedly processed and issued on 15th October, 2010. The members who initially were 74 are now a large and enterprising Community of over 260 residents. The Members have constructed permanent houses and shopping centers on the land parcel including social amenities, including schools, with electricity and water connectivity.

They state that the subject land is now being claimed by a Mr. Charles Munene Gatimu and a Ms. Catherine Karegi Kamancha who proceeded to secure a Grant on 15th October, 2010. They aver that the Department of Lands in Nairobi issued out two Letters of Allotment: one to Charles Arap Sigei, Charles Menene Gatimu, and Catherine Kamanja and another to Amani self-help Group.

The petitioners state that on 4th February, 2009 Mr. Charles Munene Gatimu swore an Affidavit accompanied with a letter to the Director of Surveys claiming that he had lost the Deed Plan No. 176452 for land Parcel L.R.No.209/11970. In response to the said letter, a Licensed Surveyor Mrs. Rukuku Omalla requested the Director of Surveys to issue a certified copy of the said Deed Plan and release the same to Arch Surveys vide a letter dated 12th January, 2009. Efforts by Amani Self-Help Group to access the Correspondence File (CF) from either the Chief Land Registrar or the Director Land Administration has been futile.

They claim that the initial land parcels surrounding the subject Grant L.R. No.209/9611 have registration numbers with Four digits while L.R. No.209/11970 has Five Digits a confirmation that the said title/Grant could have been superimposed in the area to secure a title which has got no records.

The petitioners state that it is incumbent upon the Lands Ministry Officials to table clarification as to whether due process was followed in the processing of the Grant for L.R. No. 209/11970. The Cabinet Secretary to make available the letter of application for allocation of the land by Charles Arap Sigei, Charles Munene Gatimu, and Catherine Kamanja, the respective approvals and any premium payment made. They further claim that efforts to resolve the matter with the Ministry and other relevant agencies have been futile and the issues in respect of which this Petition is made are not pending before any Court of Law, Constitutional or Statutory body.

The petitioners, therefore, pray that the National Assembly through the Public Petitions Committee;

- i. Intervenes to have the Government through the Ministry of Lands and Physical Planning to avail or table all legal documents since the invaders/

private developers Mr. Charles Munene Gatimu and Ms. Catherine C. Kamanja want to evict them from the said land parcel and yet they are not the rightful owners of the subject land.

- ii. Makes any other order or direction that it deems fit in the circumstances of this matter.
- iii. That the purported title for LR. No. 209/11970 held by the private developers issued under Lands Office, Nairobi, Grant No. 132396 be cancelled forthwith.

RESPONSE

Honourable Chair, L.R. NO. 209/11970 measuring approximately 0.5235 Hectares situated in Dandora/ Mowlem area in Nairobi City County was allocated as Un-surveyed Industrial Plot 'B' to Charles Arap Sigei, Charles Munene Gatimu and Karegi Catherine Kamanja vide a letter of allotment Ref. 98486/ XII dated 20th July, 1993. The allocation was on a 99-year lease term with effect from August 1, 1993. A copy of the letter of allotment is marked **annexure 7**.

The offer was accepted and payment of the statutory fees was done in 1996. On 26th January, 1998, Charles Arap Sigei on behalf of the others applied for consent to transfer the plot citing lack of sufficient funds to develop it. The plot was transferred to John Mark Omollo Ageng on 4th August, 1998. A copy of the informal form of transfer is marked **annexure 8**. Charles Arap Sigei later requested for cancellation of this transfer vide a letter dated 16th March, 2000 citing non-payment by John Mark Omollo Ageng. **Annexure 9** is a copy of the said letter and other documents relating to the cancellation. John Mark Omollo Ageng also acknowledged the cancellation vide an affidavit dated 26th April, 2001 marked **annexure 10**. On 24th March, 2000, Charles Arap Sigei transferred his interest in the plot to Charles Munene Gatimu. A copy of the informal form of transfer is marked **annexure 11**.

John Mark Omollo Ageng later contested the cancellation of the transfer and moved to the High Court at Nairobi in Civil Suit No. 1269 of 2001. The suit at the High Court was dismissed as per the copy of the decree marked **annexure 12**.

A title document was prepared in favour of Charles Munene Gatimu (2/3 share) and Karegi Catherine Kamanja (1/3 share) and registered as IR No. 132396 on 24th August, 2011 as evidenced by a copy of the Memorandum of Registration of Transfer of Lands marked **annexure 13**.

The property is currently the subject of an ownership dispute between Charles Munene Gatimu & Catherine Kamanja (Plaintiffs) and Ernest Omwenga and others (Defendants) in ELC Case No. 288 of 2013. It is also the subject of Petition No. 9 of 2024 at the National Land Commission.

Honourable Chair, the Ministry is awaiting the outcome of the Court case and determination of the matter by the NLC.

5. Public Petition Number 19 of 2024 regarding Settlement of residents of Oljorai Community in Oljorai Farm in Nakuru County.

PETITION

The Petitioners stated that Oljorai Farm, previously an Agricultural Development Corporation (ADC) farm, is located in Nakuru County, Gilgil Sub- County, and spans 28,000 Acres, divided equally in 1990 into Phase I and Phase II, with Phase I allocated to the Maasai and other minority communities. Their families have resided on the Oljorai land for nearly 40 years, during which time they have established permanent and semi-permanent structures, schools, markets, and other social amenities, contributing to the development of the area;

They further state that in 1997, the ADC allegedly sold 8,000 Acres of the 14,000 Acres (Phase I) to Solai Ruyobei Farm Limited, creating tension and protests among the residents, who had been promised settlement and title deeds by the government. Several high-level meetings have been held since 2014 involving the Office of the President, the National Land Commission (NLC), the Ministry of Lands, the Nakuru County Government, and community representatives to resolve the dispute, but no resolution has been implemented to date

They state that in 2016, the Government Directed the NLC to finalize the settlement and issuance of title deeds to the Oljorai Farm residents within two months, yet no action has been taken. The failure to resolve the dispute has left the residents vulnerable to potential displacement, exacerbating historical land injustices and undermining the residents' social and economic stability; and the matter presented in this petition is not pending before any tribunal, court of law, or any constitutional or legal body.

The Petitioners, therefore, pray that the National Assembly through the Public Petitions Committee-

- i. Engages the Ministry of Lands and Physical Planning, Public Works, Housing, and Urban Development; and, other relevant authorities with a view to investigating and ensuring that agreements reached in prior meetings between the Government and the residents is adhered to;
- ii. Ensure that the residents of Oljorai Farm in Nakuru County are issued with title deeds and permanently settled on the land they have resided in for the last 33 years; and,
- iii. Make any other necessary recommendation the Committee deems fit to address the issues raised in this Petition

RESPONSE

Honourable Chair, Agricultural Development Corporation (ADC) farm owned a total of 14,000 Acres in Nakuru. In 1994, through a presidential directive, 6000 Acres were awarded to the Land Settlement Fund Board (LSF) to settle residents of Oljorai Community. The remaining 8,000 Acres were sold to Solai Ruyobei Farm Limited in 1997.

The Ministry through the Land Adjudication & Settlement department created two settlement schemes (Oljorai Settlement Scheme Phase I & II) totaling 6,000 acres. The schemes were registered and title deeds issued to the beneficiaries of the schemes.

Honourable Chair, Solai Ruyobei Farm Limited is a private farm that our department has no authority to enter and carry out any allocation. The Ministry's role in this farm was to only register all the squatters living therein. The Ministry registered total of 1460 families as squatters in this farm of whom only 540 benefited from being allocated land in the vacant plots in the settlement schemes (Oljorai Settlement Scheme Phase I & II). The remaining 920 families remained in the Solai Ruyobei Farm Limited, a private owned farm, as squatters.

Honourable Chair, the Ministry is recommending that with additional funding alternative land can be purchased to settle the genuine squatters on the Solai Ruyobei Farm.

6. Public Petition Number 6 Of 2025 regarding persistent harassment and unlawful eviction of people living on L.R No. 176/111/MN in Mwendo wa Panya village, Mtepeni ward, Kilifi South Constituency.

PETITION

Mwendo wa Panya village is a pre-colonial village established on or about 1908 by one Athman Suleiman and developed to an acclaimed safe haven where many locals who escaped from slave merchants would get safely. The land measures approximately 23.75 Acres and registered as LR. NO 176/111/MN with a population of over 1000 people. The residents have been living in the village for over 100 years and have a community cemetery where they have been burying their departed ancestors. In addition to that the village has a wide range of public

facilities such as hospitals, schools and shopping centres and even farmlands on which residents practice subsistence farming as well as commercial cash crop farming of coconuts, cashew nuts and oranges. For many years efforts by residents to regularize ownership of the land for them to have security of tenure and realise full economic potential of their land have been unsuccessful.

On 19th November, 2018 three persons namely, Mark Mwaura Mwangi, Charles K. Wanguhu and John Waweru went to the plot with hired people, harassed the residents and demolished structures on the land leaving the residents homeless. In 2021 the land was registered in the names of the three aforementioned persons. Efforts by residents to seek assistance from the relevant government agencies including the Ministry of lands, public works and urban development and the National Land Commission (NLC) to address the matter has been unsuccessful.

The petitioners pray that the National Assembly through the Public Petitions Committee.

- i. Inquires into the circumstances that led to the registration of parcel of land LR. NO. 176/111/MN in the name of the three persons without consent by the residents
- ii. Recommend that the Ministry lands, public works and urban development and the National Land Commission (NLC) and other relevant government agencies settle the residents by facilitating the sub-division of LR.NO. 176/111/MN and issuance of certificate of title to residents of Mwendo wa Panya
- iii. Make any other recommendation(s) it deems fit to secure the petitioners rights.

RESPONSE

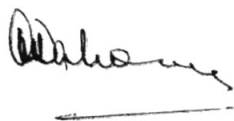
Honourable Chair, according to our records, LR. NO. 176/III/MN measuring approximately 23.75 Hectares is registered as CR. 4178/16 in favour of Charles K. Wanguhu and Peter J. Mwangi having purchased it from Yusufali Adamali Dar, Alibhai Adamali Dar and Himatlal Nanchand Shavadia in 1977. The property is held on freehold basis. **Annexure 14** is a copy of the Memorandum of Registration of Transfer of Lands.

The then Kenya Tourist Development Foundation had requested for valuation of the property with an intention to purchase vide a letter Ref. TDC/2/3/3/Vol. II dated 3rd October, 1972 marked **annexure 15**. Valuation was done by the then Commissioner of Lands at Kshs. 248,000. **Annexure 16** is a copy of the letter Ref. 78824 dated 18th January 1973 by the Commissioner of Lands communicating the value. The matter, however, did not proceed further.

Honourable Chair, in response to question (i), LR. NO. 176/III/MN was transferred from Yusufali Adamali Dar, Alibhai Adamali Dar and Himatlal Nanchand Shavadia to Charles K. Wanguhu and Peter J. Mwangi after purchasing it for a consideration of Kshs. 165,000 in 1977.

In response to questions (ii) and (iii) the property is private land held on freehold basis and therefore the way forward is to acquire the same through the Land Settlement Fund Board of Trustees and regularize the settlement. The matter will be tabled for consideration subject to availability of funds.

Honourable Chair, I submit.



Hon. Alice Wahome, EGH
CABINET SECRETARY

10th November, 2025

Pandanus

ANNEXURE 1

SPECIAL ISSUE

2291

Kenya Gazette Supplement No. 166

3rd November, 2017

(Legislative Supplement No. 80)

LEGAL NOTICE NO. 261

THE FOREST CONSERVATION AND MANAGEMENT ACT

(No. 34 of 2016)

DECLARATION OF PUBLIC FOREST

BONI-LUNGI FOREST

IN EXERCISE of the powers conferred by section 31(2) of the Forest Conservation and Management Act, the Cabinet Secretary for Environment and Natural Resources declares the area described in the Schedule hereto to be a public forest.

SCHEDULE

An area of land approximately 39,925.7 hectares, situated approximately thirty kilometres north of Lamu Township, Lamu County, Coast Province, the boundaries of which are more particularly delineated, edged green, on Boundary Plan No. 175/433, which is signed and sealed with a seal of Survey of Kenya, and deposited at the Survey Records Office, Survey of Kenya, Nairobi and a copy of which may be inspected at the office of the Ecosystem Conservator Lamu and Kenya Forest Service Headquarters, Nairobi.

Dated the 27th October, 2017.

JUDI W. WAKHUNGU,

*Cabinet Secretary for
Environment and Natural Resources.*

LEGAL NOTICE NO. 262

THE FOREST CONSERVATION AND MANAGEMENT ACT

(No. 34 of 2016)

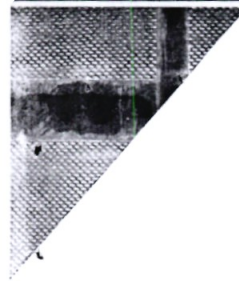
DECLARATION OF PUBLIC FOREST

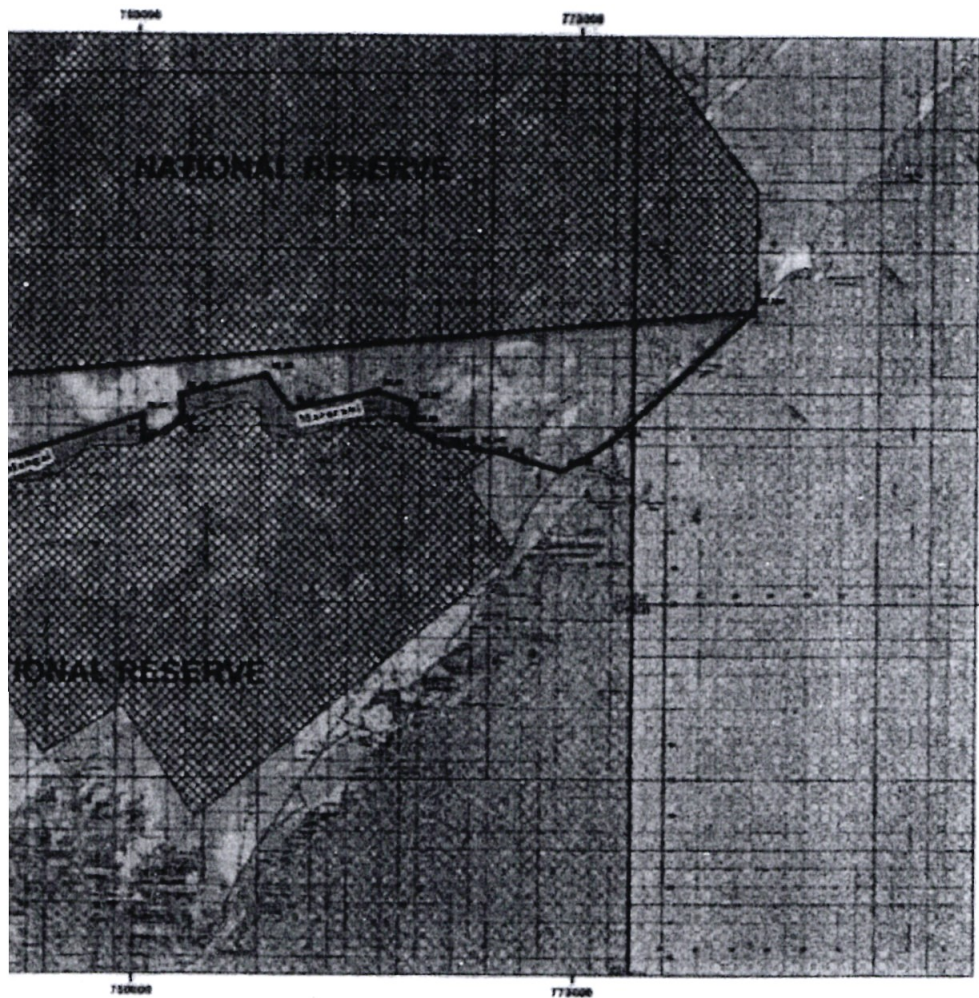
BONI-IJARA FOREST

IN EXERCISE of the powers conferred by section 31(2) of the Forest Conservation and Management Act, the Cabinet Secretary for Environment and Natural Resources declares the area described in the Schedule hereto to be a public forest.

SCHEDULE

An area of land approximately 451,430.7 hectares, situated approximately thirty-five kilometres north of Lamu Township, Garissa County, Coast Province, the boundaries of which are more particularly delineated, edged green, on Boundary Plan No. 175/434, which is





Sign <u>[Signature]</u> For Director, Kenya Forest Service	Date <u>04-11-2014</u> OFFICER AND OFFICE REQUESTING B.P
Sign <u>[Signature]</u> Date <u>17-11-2014</u>	FOR DIRECTOR OF SURVEYS

BOUNDARY PLAN NO. 175/ 433

10/2508/21

- 2 -

SIGNED by the said Viconte Jacques
de Sibour by his Attorney Walter
Scott MacLellan Wilson in the
presence of:-

W. Scott MacLellan Wilson

Jacques de Sibour
By his Attorney
Walter Scott MacLellan Wilson
W. F. MacLellan Wilson

MEMORANDUM OF CHARGES.

N.I.L.





TRANSFER.

REGISTER OF TITLES NO. I.R. 2507.

Handwritten: 12/2504/20f

Handwritten: £53 R.K. 21-11/10

Handwritten: 22/11/10

Handwritten: 2507

WALTER SCOTT MACLELLAN WILSON of Songhor in the Colony of Kenya Settler at present on active service with His Majesty's Forces in East Africa and VICOMTE JACQUES DE SIBOUR formerly residing at Songhor aforesaid but now on active service with His Majesty's Forces being registered as the proprietors (Subject however to such charges and encumbrances as are notified by memorandum written hereon and to the annual rent of Shillings Eighty-eight revisable as provided by the undermentioned Grant) of ALL THAT piece of land containing Four hundred and forty acres or thereabouts situate south east of Kapsabet in the Mandi District of the said Colony known as Land Reference Number 6053 (original Number 5424/1) held for a term of Nine hundred and ninety-nine years from the First day of October One thousand nine hundred and nineteen under a Certificate of Title dated the thirteenth day of October One thousand nine hundred and twenty-eight (registered as Title No. I.R. 2507) issued pursuant to a Transfer registered at the Registry of Titles as No. 857/6 being portion of the premises comprised in a Grant dated the Third day of July One thousand nine hundred and twenty-four registered as Title Number I.R. 857 and which said piece of land is more particularly delineated and described on plan Number 26317 deposited in the Land Surveys Office at Nairobi. IN CONSIDERATION of the sum of Shillings Fifty-two thousand eight hundred to the Vendors now paid by GEORGE EDWARD CUNYNGHAME ROBERTSON and STUART JAMES CUNYNGHAME ROBERTSON both of Kisumu in the said Colony (the receipt of which sum is hereby acknowledged) DO HEREBY TRANSFER to the said GEORGE EDWARD CUNYNGHAME ROBERTSON and STUART JAMES CUNYNGHAME ROBERTSON ALL the right title and interest of them the said Walter Scott MacLellan Wilson and Vicomte Jacques de Sibour and each of them of and in the said piece of land IN WITNESS whereof the said Walter Scott MacLellan Wilson and Vicomte Jacques de Sibour have hereunto set their hands this *Twenty seventh* day of *February* One thousand nine hundred and forty-three.

SIGNED by the said Walter Scott MacLellan Wilson in the presence of:-

W. S. MacLellan Wilson

Admitted Nairobi

LAND TITLES REGISTRY — COLONY OF KENYA

NEWSPRINTED BY THE GOVERNMENT OF KENYA STORED NO. 1 R. 2507/2

Presented 12-2-43

Time 11/10 a.m.

E. Lloyd
REGISTRAR OF TITLES

Stamp Duty ... Shs. 1060/-

(to. Counterpart Shs. -

Penalty Copy ... Shs. 2/-

Registration Fee ... Shs. 20/-

Shs. 1082/-

12/2507/22L

P2507



2533

CD 111
N

COLONY OF KENYA
REGISTRY OF TITLES
(INLAND DISTRICT)
TITLE NO. I.R. 2507
Annual Rent Shillings 88

LAND CONTROL ORDINANCE, 1941
Consent is hereby given to this transaction.
Date 14. 10. 1943
Chairman,
Land Control Board

CROWN LANDS ORDINANCE (Cap. 140)
Sec. 70A.
Under powers delegated to me from the Governor, consent is hereby given to this transaction.
Date 14. 10. 1943
Commissioner of Lands

WE, GEORGE EDWARD CUNYNGHAME ROBERTSON and STURAN JAMES CUNYNGHAME ROBERTSON both of Nandi in the Colony of Kenya Farmers being registered as proprietors as lessees from the Crown for the term expiring on the first day of October two thousand nine hundred and eighteen (subject to such charges leases and encumbrances as are notified by Memorandum written hereon and to the annual rent of Shillings eighty eight) of ALL THAT piece of land containing by admeasurement four hundred and forty acres more or less situate to South East of Kapsabet in the Nandi District of the Nyanza Province of the Colony of Kenya known as Land Office Reference Number 6053 (Original Number 5424/1) being the premises comprised in a Certificate of Title dated the fifteenth day of October One thousand nine hundred and twenty eight (registered in the Registry of Titles at Nairobi as Number I.R. 2507/1) which said piece of land with the dimensions abutments and boundaries thereof is delineated on the plan annexed to a Transfer dated the third day of September One thousand nine hundred and twenty eight (registered in the Registry of Titles at Nairobi as Number I.R. 857/6) and more particularly on Plan Number 26317 deposited in the Land Surveys Office at Nairobi IN CONSIDERATION of the sum of Shillings two hundred and forty six thousand paid to us by SIRET TEA COMPANY LIMITED a Limited Liability Company having its registered office at Nairobi in the said Colony (the receipt whereof we and each of us do hereby acknowledge) DO HEREBY TRANSFER unto the said Siret Tea Company Limited ALL our right title and interest in and to the said piece of land and in and to the buildings and improvements erected and being thereon. IN WITNESS whereof we have hereunto set our hands the

Fourth day of *June*
eight.

One thousand nine hundred and forty

SIGNED by the said George
Edward Cunynghame Robertson in
the presence of :-

G. E. Robertson

G. J. Muriel
Magistrate

SIGNED by the said Struan
James Cunynghame Robertson in
the presence of :-

J. H. Robertson

B. J. Muriel
Advocate Vanebr

MEMORANDUM OF CHARGES LEASES & ENCUMBRANCES

N I L





Registration Fees 20/-
20/-

COLONY OF KENYA.
REGISTRY OF TITLES.

(INLAND DISTRICT)

Certificate of Title.

Title No. 14 257

Annual Rent Shs. 38/-.

Survey Fees Shs. 55/00.

WALTER SCOTT WILSON of 80, North Street in the Colony of Kenya pursuant to a transfer dated the Third day of September 1924

registered at the Registry of Titles at Nairobi at Number I.L. 857/1 as tenants in common in equal shares the proprietors less than the term expiring on the First day of October Two thousand nine hundred and eighteen

of All That piece of land containing by admeasurement Four hundred and forty acres more or less known as Land Office Number (Original Number 3484/1) being portion of the premises comprised in a Grant dated the Third day of July 1924 and registered as Title Number I.R. 557 in favour of Douglas Claude Venning and situate to S.E. of Kapsabet in the Vandi District of the Nyanza Province of the said Colony which said piece of land with the dimensions abutments and boundaries thereof is delineated on the plan annexed to the said transfer and more particularly on Plan Number 26317 deposited in the Land Surveys Office at Nairobi subject to the provisions of the Crown Lands Ordinance Chapter 140 of the Revised Edition of the Laws of Kenya and subject to such special conditions as are contained in the said Grant and to such

Search



Stamp Duty
Registration Fees 20
20

COLONY OF KENYA.
REGISTRY OF TITLES.

(INLAND DISTRICT)

Certificate of Title.

Title No. IR 2507

Annual Rent Shs. 50/-.

Survey Fees Shs. 50/88.

WALTER SCOTT WILSON of 50, 51 & 52, in the
Settlers and VICOMTE JAMES J. SIDOUR of 3, Park Street, Barclay Square London
Colony of Kenya pursuant to a transfer dated the Third

day of September One thousand nine hundred and twenty-eight

registered at the Registry of Titles at Nairobi at Number I.R. 557/2 are

as tenants in common in equal shares

the proprietors as lessors from the Crown for the term expiring on the First

day of October Two thousand nine hundred and eighteen

of All That piece of land containing by

admeasurement Four hundred and forty

acres more or less known as Land Office Number

(Original Number 2424/1)

being portion of the premises comprised in a Grant dated the

Third day of July 1924 and registered

as Title Number I.R. 557 in favour of Douglas Claude Venning

and situate to S.E. of Mapeket in the Meri

District of the Eysenza Province of the said Colony which

said piece of land with the dimensions abutals and boundaries thereof is delineated on

the plan annexed to the said transfer and more particularly on Plan Number 26317

deposited in the Land Surveys Office at Nairobi subject to the provisions of the

Crown Lands Ordinance Chapter 130 of the Revised Edition of the Laws of Kenya and

subject to such special conditions as are contained in the said Grant and to such

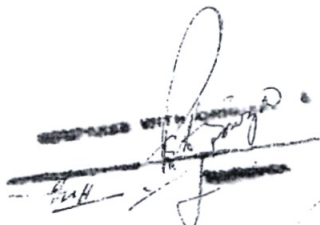
encumbrances as are notified by memorandum written hereon and subject also to the payment of the annual rent of Shillings Eighty-eight -----

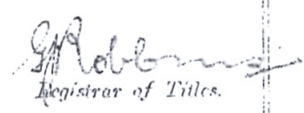
----- and to the payment of Shs. Ninety-six and -
Cents Eighty-eight ----- being the proportionate amount of the Survey fees due on the original survey of the said land.

In Witness whereof I have hereunto signed my name and affixed my seal this Fifteenth ----- day of October -----
One thousand nine hundred and twenty-eight.

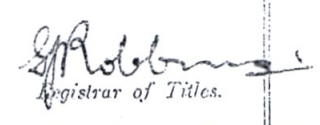
MEMORANDUM OF ENCUMBRANCES.

N I L.

A handwritten signature is written over a rectangular stamp. The stamp contains the text "REGISTERED WITH" and "1928".

A handwritten signature, likely of the Registrar of Titles, is written above the printed title "Registrar of Titles."

Registered at the Registry of Titles at Nairobi this *Seventeenth*
day of *October* 1928. Time 10.25 A. m.
No. *IR 2507/1*
Presentation No. *1252/28.*

A handwritten signature, likely of the Registrar of Titles, is written above the printed title "Registrar of Titles."

THE REGISTRAR OF TITLES
NO. 1507/2

17th March 1932

Charge to Land & Agricultural
Mortgage of the property

AND THE REGISTRAR OF TITLES
HAS BEEN REGISTERED AGAINST THIS TITLE

NO. 1507/2
Charge to Land & Agricultural
Mortgage of the property

NAMES OF THE PARTIES TO THE CHARGE
REGISTRAR OF TITLES

James H. Sefton, Syndicate Limited
Over 5 years, from 1st May 1940
Amount paid for the title
The title is now registered
The title is now registered
The title is now registered

REGISTRAR OF TITLES
Charge to Land & Agricultural
Mortgage of the property

REGISTRAR OF TITLES
Charge to Land & Agricultural
Mortgage of the property

REGISTRAR OF TITLES
Charge to Land & Agricultural
Mortgage of the property

THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THIS TITLE:-
*Transfer to George Edward Cunningham Robertson
 and Arthur James Cunningham Robertson*

Thompson

REGISTRAR OF TITLES
 THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THIS TITLE:-
*Charge of the land and agricultural
 land of the*

Thompson

MAILED THE 10th DAY OF October 1924.

CERTIFICATE OF TITLE.

TO

WALTER SCOTT WILSON

VICOMTE JOSEPH DE SIAMOUR.

Part I. O. No. 5805.

District 3804.

Province Nyanza.

Term Expiring 1. 10. 2919.

THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THIS TITLE:-
*Name of charge with interest
 Wilson and Simon to the above
 subject to the above*

THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THIS TITLE:-
*Name of charge
 of the above*

Resolution No. 1418 20th of October 1924

THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THE TITLE
Notice of Lien, No. 1, was made
by the Land and Revenue Board
on the 1st day of July 1961.

and the same has been registered against the
title of the said land.

1301 ...
Discharge of Charge No. 9 above

1302 ...

1303 ...

1304 ...

1305 ...

1306 ...

1307 ...

1308 ...

1309 ...

1310 ...

1311 ...

1312 ...

1313 ...

1314 ...

Memorandum of Charge with Kenya Commercial Bank Limited

20

Registration No. 629... Date of Registration 18-7-1972 Registrar of Titles

Memorandum of discharge of charge no. 20 above (Kakal discharge)

878

28-6-1979

Charge to Kenya Commercial Bank Limited for Kshs. 400,000/- Subject to n. 19 above

882

28-6-1979

Transfer of Charge of No. 22 above to Commercial Bank of Africa Limited

780

22-9-81

Further Charge to Commercial Bank of Africa Limited for Kshs. 4,624/- Subject to No. 19 above

Registration No. 751... Date of Registration 22-9-81

Discharge of charge No. 22, 23 and 24 above

1224

23-6-74

Transfer to Kikuyu Limited for Kshs. 4,050, 290/-

1225

23-6-74

I hereby certify this to be a true copy of the Original

① stamp duty shs.

Copying A/c. shs.

shs.

Date 10-11-2025

REGISTRAR OF TITLES
M. Maghanga 416

ANNEUXE 4

1

34



COLONY OF KENYA.

REGISTRY OF TITLES.

(INLAND DISTRICT)

Certificate of Title.

Title No.

Annual Rent Shs.

Survey Fees Shs.

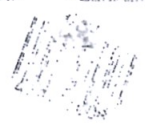
of the Colony of Kenya pursuant to a transfer dated the day of One thousand nine hundred and twenty- registered at the Registry of Titles at Nairobi as Number I.R. is now the proprietor as lessee from the Crown for the term expiring on the day of

of **All That** piece of land containing by admeasurement

acres more or less known as Land Office Number being portion of the premises comprised in a Grant dated the day of and registered as Title Number

in favour of and situate in the District of the Province of the said Colony which

said piece of land with the dimensions abutments and boundaries thereof is delineated on the plan annexed to the said transfer and more particularly on Plan Number deposited in the Land Surveys Office at Nairobi subject to the provisions of the Crown Lands Ordinance One thousand nine hundred and fifteen and subject to such special conditions as are contained in the said Grant and to such encumbrances as are notified by memorandum written hereon and



12/102/2

subject also to the payment of the annual rent of Shillings
and to the payment of Shs.
being the proportionate amount of the Survey fees

due on the original survey of the said land.
In witness whereof I have hereunto signed my name and affixed my seal
this
day of
hundred and
thousand and

One thousand nine

MEMORANDUM OF ENCUMBRANCES.

COMPARED WITH ORIGINAL
REGISTERED
1911

612 J.F.

2

The following document has been registered against the title
No. 1102/2. Date of Reg. 15th July 1925.
Lien in favour of National Bank of South Africa Ltd. *Mantgar*
Nairobi, 15th July 1925. Registrar of Titles.

3

THE FOLLOWING DOCUMENT HAS BEEN REGISTERED AGAINST THIS TITLE—
No. 1102/3. Date of Reg. 6th April 1926.
Discharge of Lien no 2.
Nairobi, 6th April 1926. *Blundell*
Registrar of Titles.

4

THE FOLLOWING DOCUMENT HAS BEEN REGISTERED AGAINST THIS TITLE—
No. 1102/4. Date of Reg. 6th April 1926.
Lien in favour of Barclays Bank (Dominion)
Colonial (C.A. 1925).
Nairobi, 6th April 1926. *Blundell*
Registrar of Titles.

THE FOLLOWING DOCUMENT HAS BEEN REGISTERED AGAINST THIS TITLE—
No. 1102/5. Date of Registration 3rd Sep. 1928.
Discharge of Lien (No. 4).

Nairobi, 3rd Sep. 1928. *Robbings*
REGISTRAR OF TITLES.

6

THE FOLLOWING DOCUMENT HAS BEEN REGISTERED AGAINST THIS TITLE—
No. 1102/6. Date of Registration 9th November 1928.
Transferred to Eric George HARRIS of
350 Upper Grosvenor St. W. C. to No. 6008 (Transf. No.
5423/1) + Cert. of Title No. 282525 has issued.
Nairobi, 9th Nov. 1928. *Robbings*
REGISTRAR OF TITLES.

THE FOLLOWING DOCUMENT HAS BEEN REGISTERED AGAINST THIS TITLE—
No. 1102/7. Date of Registration 27th November 1928.
Lien in favour of ROBERT BANK (Dominion)
Colonial (C.A. 1925).

Nairobi, 27th Nov. 1928. *Robbings*
REGISTRAR OF TITLES.

THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THIS TITLE—
Memo of Discharge of No. 7 above.

Nairobi, 27th Nov. 1928. *Manning*
REGISTRAR OF TITLES.

112/9

9

ALL FOLLOWING INSTRUMENTS HAVE BEEN REGISTERED AGAINST THIS TITLE
Change to deed the company limited
1070 acres, L.R. No. 5223/2
amount of Rs. 2500/-

10.

(192308)

Registration No. 172, Sub of Registration
THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THIS TITLE
Change to the National Bank of India, Finance and
Development Corporation Limited
with Rs. 1000/-

394

Page 4

Registration

17/12/36

17/12/36

17/12/36

17/12/36

17/12/36

17/12/36

17/12/36

Registry of Titles,
Korova.

11.

THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THIS TITLE
Deed of the East African Power
and Lighting Company Limited;

Registration No. 2905 Date of Registration 14.4.39 Registrar of Titles

THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THIS TITLE
Deed of the East African Power
and Lighting Company Limited;

12.

Registration No. 3009

18th July

13.

DECLARATION BY THE OWNER OF THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THIS TITLE
Deed of the East African Power
and Lighting Company Limited;

19.7.61

Registration No. 3015 Date of Registration 19.7.61 Registrar of Titles

THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THIS TITLE
Deed of the East African Power
and Lighting Company Limited;

14.

(R2308)

Registration No. 1181 Date of Registration 31.10.61

Registrar of Titles

CERTIFICATE OF TITLE

PROVEN

PAID THE

DAY OF

1961

THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THIS TITLE
Created by The East African Bank Limited
Shs. 100,000/-

15

Registered

THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THIS
TITLE: Memo of Charge with Kenya Commercial
Bank Limited.

Presentation No. 612 Date of Registration 15-7-1972 Registrar of Titles

17

Memorandum of Discharge of charge
no. 16 above (partial discharge)

880

28-6-1979

Charge to Kenya Commercial Bank Limited
for Shs. 2,400,000/-
Subject to nos. 11, 12 and 15 above

882

28-6-1979

Transfer of Charge Number 18 above
to Commercial Bank of Africa Limited

851

27-9-83

Further Charge to Commercial Bank of Africa Limited
for Kshs 4,200,000/- Subject to nos. 11, 12, 15, 18 and 19 above.

166

4-11-1983

Discharge of Charge No. 18, 19, 20 above.

1224

24-6-94

Transfer to Kakuzi Limited
for Kshs. 4,050,390/-

1225

24-6-94

Transfer (Gift) to Tindiret Deve-
lopment Trust Company Limited
66/88 Ho. LL 5423/4 (Orig 5423/27) Term Expiring
14 Oct 2015 Annual Rent 59,320/-

hereby certify this to be a true copy

of the original

Stamp duty shs.

Copying A/c. shs.

shs.

Date 10-11-2025

ANNEXURE 7

NEW FILE
15785

Catherine
Kanyi Catherine Kamau

REPUBLIC OF KENYA

Telegrams: "Lands", Nairobi

DEPARTMENT OF LANDS

Telephone: Nairobi 718050/9
CHARLES ARAP SIGEI
GATIMU AND KAREGI
P.O. BOX 74229
NAIROBI

MUNENE

P.O. Box 30089
NAIROBI

...20th July....., 19.093..

Ref. No. 98486/XII....

REGISTERED

SIR(S) MADAM,

RE: UNS. INDUSTRIAL PLOT 'B' - DANDORA

LETTER OF ALLOTMENT

I have the honour to inform you that the Government hereby offers you a grant of
...the above plot..... shown edged red on the attached plan
No. 98486/XI/67A..... subject to your formal written acceptance of the following
conditions and to the payment of the charges as prescribed hereunder:—

AREA: 0.5..... hectares or acres (approximately)

TERM: 99..... years from the 1.8.93.....

STAND PREMIUM: Sh. 121,000.....

ANNUAL RENT: Sh. 24,200.....

} Subject to adjustment on survey.

GENERAL: This Letter of Allotment is subject to, and the grant will be made under the
provisions of the Government Lands Act, (Cap.280 of the Revised Edition
the Laws of Kenya) and title will be issued under the Registration of Titles
Act, (Cap. 281).

SPECIAL CONDITIONS: See attached.

2. I should be glad to receive your acceptance of the attached conditions together with
your cheque for the amount as set out below:—

	Sh.
Stand Premium	121,000
Rent from 1.8.93 to 31.12.93	10,084
Conveyancing Fees	500
Registration Fees	100
Rates, proportion of (provisional) on demand	
Stamp Duty	7,760
Survey Fees	2,290.00
Road and Road Drains on demand	
Sewers on demand	
Receipt No. Less Deposit	

Noted
22/7/93
15785

If acceptance and payment respectively are not received within 30 days from the date hereof the offer herein contained will be considered to have lapsed.

If the above plot is still unsurveyed at the time you commence building you should exercise the greatest care to ensure that any building or other works are contained within the boundaries of the plot for should you inadvertently overstep the aforesaid boundaries the cost of removal and reconstruction must be borne by you.

The issue of the Government Grant will be undertaken as soon as circumstances permit.

Your full name(s) in BLOCK LETTERS should be given for the purpose of the draft grant which will be ~~submitted later for your acceptance~~ sent to you after registration.

Authority to allocate
Govt. File 102749/31/GA/III/
15'A'

I have the honour to be,
Sir(s)/Madam,
Your obedient servant,


S. M. KAGWI

.....
for Commissioner of Lands

ENCL.

COPY TO:- Permanent Secretary, Min of Lands & Settlement, Nairobi
The Director of Surveys, Nairobi.

The Town Clerk, Nairobi City Council

~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~
The Clerk to the Council, County Council of

~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~
~~The District Commissioner,~~

~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~
The Town Planning Adviser, Nairobi.

Director of Physical Planning, NBI

~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~
~~The City Valuation Officer, City of Nairobi.~~

O/C Land Rents.

Rates Assistant.

The Accountant.

O/C Records.

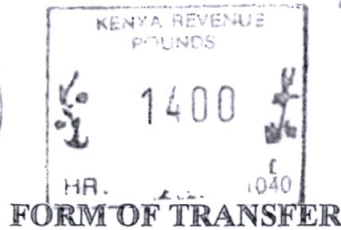
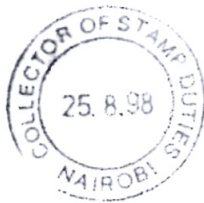
Senior Plan Record Officer.

Plot File.

Noted 18/5/2011

note 21/5/95
ALL TO NOTE

Noted 28/5/95



ANNEXURE 8

(13)

(11)

F
S8 F140
Rsf

27/8

I, **CHARLES** arap **SIGEI** holder of National identity card number 6008265/69

of P.O.BOX 45519, NAIROBI

in consideration of sum of Ksh. SEVEN HUNDRED THOUSAND (KSH's 700,000.00)

paid to me by **JOHN MARK OMOLLO AGENG** holder of passport number A 452142

of P.O.BOX 58457, NAIROBI

do hereby transfer to **JOHN MARK OMOLLO AGENG**

All my right, Tilte and interest in the piece of land described in the schedule hereto and

DO HEREBY AGREE that the Grant/Lease in respect thereof shall be issued direct to

JOHN MARK OMOLLO AGENG

dated this 4th day of **AUGUST 1998**

Signed by the vendor

[Signature]

Id No. 6008265/69

in the presence of

JOSEPH N. NJOKA
ADVOCATE
P. O. Box 50895
NAIROBI

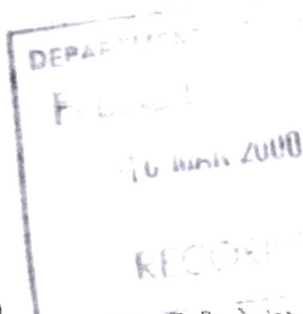
Signed by the purchaser

[Signature]
Passport No 452142

in the presence of

[Signature]
JOHN MARK OMOLLO AGENG
P. O. Box 58457
NAIROBI

APPENDIX 7



Charles Arap Sige

(17) 11001 3454 (14)

NB.

16/3/2000

(18)

The Commissioner's Letter
Office. Bot 30088
NB.

Dear Sir



P.101MB

Ref No. W.O. PLO

No. 11.207/11970

NB.

I Charles Arap Sige have not
received any money from John
Mark Ages Omolo.
I have withdrawn the sale
forthwith. I have decided my
~~the~~ share to be transferred
to Mr. Charles Murem Gatimu

Yours faithfully

Charles Arap Sige

Cashier
Account 4000/-
Current fees
Shs 2000/-
21/3

~~Signature~~

16/2/2000

~~6008265/68~~ @L.
6008265/68

151785

Sluc N100

Take necessary

2/3/2000

ANNEXURE 10

(33)

(37)

REPUBLIC OF KENYA
IN THE MATTER OF THE OATHS AND STATUTORY DECLARATIONS ACT
CAP 15 OF THE LAWS OF KENYA

AFFIDAVIT

I, JOHN MARK OMOLLO AGENG Kenyan Passport Number 452142 of Post Office Box -Number 58457 Nairobi in the Republic of Kenya hereby make oath and state as follows:-

1. THAT I am an adult male of sound mind.
2. THAT on the 4th day of August 1998 I bought from one Charles Arap Sigei Land Reference Number 209/11970 in Nairobi.
3. THAT prior to that transaction the said Charles Arap Sigei had not informed me that the said property was jointly owned by himself and other allottees.
4. THAT since I do not wish to own the said Property with other persons the said I now wish to withdraw the said transaction.
5. THAT I now confirm, aver and declare that I have renounced my right, title and interest in the said property and also confirm that my interest may be transferred to any other interested party.
6. THAT all what I have stated above is true to the best of my knowledge, information and belief.

SWORN at NAIROBI
this 26th day April 2001



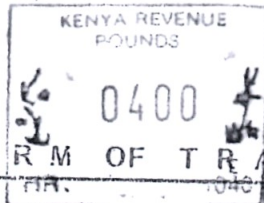
COMMISSIONER OF OATHS

DRAWN BY
MBUGUA & CO
ADVOCATES
P.O. BOX 62367
NAIROBI



[Handwritten signature]





ANNEXURE II

FORM OF TRANSFER

We ~~KXX~~ CHARLES ARAP SIGEI ID NO. 6008265/68 & CHARLES MUNENE
ID NO. 3439370/66

of P.O. Box 74229 NAIROBI

in consideration of a sum of Kshs Two Hundred Thousand
(Kshs 200,000/-)

Paid to ~~me~~^{us} by CHARLES MUNENE GATIMU ID NO. 3439370/66

of P.O. Box 74229 NAIROBI

do hereby transfer to CHARLES MUNENE GATIMU

our
All ~~my~~ right, Title and interest in the piece of Land
described in the schedule hereto and DO HEREBY
AGREE that the Grant/Lease in respect thereof shall be
issued direct to

CHARLES MUNENE GATIMU



Dated this 24th day of March 192000

Signed by the Vendor CHARLES ARAP
SIGEI &

CHARLES MUNENE GATIMU

REFERENCE SECTION
TO NOTE THIS TRANSACTION
ON THE CARD
31/3/2000
RECORD KEEPER

On the presence of J.A. THUD
ADVOCATE
P.O. BOX 6265
NAIROBI
Signed by the Purchaser
MUNENE GATIMU
in the presence of J.A. THUD
ADVOCATE
P.O. BOX 6265
NAIROBI

SCHEDULE

All that piece of land containing 0.5 Hectares
or thereabouts situated in NAIROBI MUNICIPALITY (DISTRICT)

and known as L.R. No. UNS Plot (Ref. No. AUTHORITY GOVT 102749/31/GA/111/
us L.R. NO. 209/11970 15'A'
allocated to ~~me~~ by Letter from the Commissioner of
Lands dated 20th July 1993

ANNEXURE 12

94

48

95

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT NAIROBI
CIVIL SUIT NO. 1269 OF 2001

MARK OMOLLO AGENG' PLAINTIFF

VERSUS

ATTORNEY GENERAL 1ST DEFENDANT
S.K WANGILA 2ND DEFENDANT
COMMISSIONER OF LANDS 3RD DEFENDANT
CHARLES ARAP SIGEI 4TH DEFENDANT
CATHERINE KAREGI KAMANJA 5TH DEFENDANT
CHARLES MUNENE GATIMU 6TH DEFENDANT

IN CHAMBERS ON 17TH NOVEMBER 2004 BEFORE THE
HONOURABLE MR. JUSTICE J.B. OJWANG'.



DECREE:

CLAIM FOR: -

1. An order stopping the 3rd Defendant, the Commissioner of Lands or his agents from transferring and/ or issuing any title deed for the suit premises in the name of the 5th and 6th Defendants or their agents or employees or any other person until this suit is heard and determined.
2. That the honourable court do issue an injunction to restrain the 4th Defendants by themselves or their agents and/or employees from selling, interfering of the quite possession of the suit premises by the Plaintiff or his agents or employees and/ or dealing in the premises any manner whatsoever with all the piece of land known as land reference No.209/11970 Nairobi city Council pending the hearing and determination of this suit.
3. An order compelling the Commissioner of Lands the 3rd Defendant to transfer and issue title deed for plot number L.R No. 209/11970 Nairobi City Council to JOHN MARK OMOLLO AGENG' the Plaintiff immediately.
4. Alternatively an order compelling the commissioner of Lands issue a similar industrial plot within the Nairobi city council to the Plaintiff and/ or alternatively the Defendants do singularly, jointly and

Serial No. **1522/2011**

To: DEPARTMENT OF LANDS
LAND TITLES REGISTRY
NAIROBI/MOMBASA

THE COMMISSIONER OF LANDS (RECORDS BRANCH).
THE COMMISSIONER OF LANDS (VALUATION OFFICE).
THE COMMISSIONER OF LANDS (LAND RENTS).
THE COMMISSIONER OF INCOME TAX.
THE CITY VALUER, NAIROBI.
THE MANAGING DIRECTOR, KENYA RAILWAYS.

THE TOWN CLERK,

THE CLERK, COUNTY COUNCIL OF

THE SENIOR ECONOMIST/STATISTICIAN, P.O. BOX 30289, NAIROBI.

THE EXECUTIVE OFFICER, THE PROVINCIAL AGRICULTURAL BOARD, P.O. BOX

MEMORANDUM OF REGISTRATION OF TRANSFER OF LANDS

New/Grant { the details whereof appear below, has this day been registered as **1R 132396/1**

Date of Document **15-10-2010**

Transferor **The Government of The Republic of Kenya**

Transferee **Charles Munene Gatimu 1/3 share and
Karegi Catherine Kamaniya 1/3 share**

Address of Transferee, P.O. Box **74229 Nairobi**

L.R. No. **209/11970** (Orig. No.)

Area **0.5235 Ha.**

Locality **City of Nairobi**

Consideration Shs. **128,500/=** By way of stand premium paid.

Term **99 years from 1-8-1993**

Annual Rent Shs. **25,600/=**

Due From **1-8-1993**

Presented by **AT. Conveyancing - Nairobi**

Date of Presentation **24-8-2011**

Onesmus N. M.

for Registrar of Titles

	Noted by	Checked by	Remarks
OFFICER I/C RECORDS:			
Land Register			
Return of Grants			
Files			
Cards			
RECORD-DRAUGHTSMAN ..			
VALUATION OFFICE			

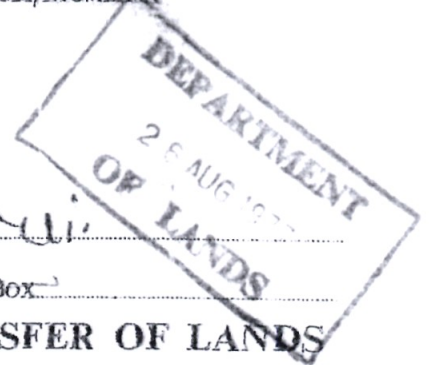
Serial No. 118/

DEPARTMENT OF LANDS
LAND TITLES REGISTRY
NAIROBI/MOMBASA

To:—

~~THE COMMISSIONER OF LANDS (RECORDS BRANCH).~~ Nbi
~~THE COMMISSIONER OF LANDS (VALUATION OFFICE).~~ MSA
~~THE COMMISSIONER OF LANDS (LAND RENTS).~~
~~THE COMMISSIONER OF INCOME TAX.~~ Nbi
~~THE CITY VALUER, NAIROBI.~~
~~THE TOWN CLERK.~~

THE CLERK, COUNTY COUNCIL OF Malindi/Mombasa
~~THE SENIOR ECONOMIST/STATISTICIAN, P.O. BOX 30289, NAIROBI.~~
~~THE EXECUTIVE OFFICER, THE PROVINCIAL AGRICULTURAL BOARD, P.O. BOX~~



MEMORANDUM OF REGISTRATION OF TRANSFER OF LANDS

Transfer

the details whereof appear below, has this day been registered as

C. R. 4178/16

Date of Document 30-3-77

Transferors Yusufali Adamali Ar, Alibhai Adamalibhai as personal representatives of 1/2 share of Alibhai Adamalibhai deceased and Himmatlal
Transferee Nanchand Shavadia proprietor of 1/2 share remaining

Address of Transferee, P.O. Box and Charles K. Wanguh, Peter J.
L.R. No. Sub/Div. No. 176 SEC. III (Orig. No. M.N.) Mwangi, Both of Mombasa
Area 23.75 Acres

Locality Mwando-Wa-Panya

Consideration Sh. 165,000/-

Term

Annual Rent Sh. Freehold

Due From

Presented by Sharma and Shah, Advocates, M.S.A.

Date of Presentation 14-7-77

B. Achunga
for Registrar of Titles

	Noted by	Checked by	Remarks
OFFICER I/C RECORDS:			
Land Register.. ..			
Return of Grants			
Files			
Cards			
RECORD DRAUGHTSMAN	29/9/77		29/8/77
VALUATION OFFICE.. ..			



ANNEXURE IS 78824
45095

Kenya Tourist Development Corporation

Standard Building,
Kenyatta Avenue,
P.O. Box 42013,
Nairobi, Kenya, East Africa.
Telephones: 23488, 25237, and 32369.
Telegrams: 'Tourist' Nairobi.

Ref: TDC/2/3/3/Vol.II.

Handwritten initials: 45 and 65

3rd October, 1972.

Commissioner of Lands,
Department of Lands,
P.O. Box 30089,
NAIROBI.

(Attention of Senior Valuer Mr. G.M. Pandya)

Dear Mr. Pandya,

I wish to refer to today's telephone talk between yourself and the undersigned in connection with the prices of plots for the development of tourist hotels along the Kikambala beach, North of Mombasa.

In the above connection, I should be very grateful to receive from you the prices of the following plots:-

- (a) Kikambala Plot No. 423 Sect: III Approx. 4 acres.
- (b) Plot No. 176 Sect: III Mainland North in Kanamai area - approx. 23 acres.

Please, kindly expedite.

Yours faithfully,

Handwritten signature: S. Wambalaba
(S. WAMBALABA)

for: GENERAL MANAGER.

Handwritten notes:
brought
to use on the file

Handwritten signature:
Cuthbert

Handwritten date:
3/10/1972

MR. Bond. Please discuss when convenient.

Handwritten initials:
Th

Handwritten date:
3/10/1972

78824/

(65) (66)

18th January,

73.

The General Manager,
Kenya Tourist Development Corporation,
P.O. Box 42013,
NAIROBI. (For attention Mr. S. Wambulala)

DEVELOPMENT OF TOURIST HOTELS
KIKAMBALA BEACH, NORTH OF MOMBASA

I refer to your letter TDG/2/3/3/Vol.II dated 3rd October, 1972 and in my opinion value of the plots are as follows for hotel development:-

- | | | |
|-----|---|---------------|
| (a) | Plot No. L.R. 423, Section III
Kikambala Mainland, North | Shs.192,000/- |
| (b) | Plot No. L.R. 176 Section III
Kikambala, Mainland North | " 248,000/- |

I may advise you that both these plot are freehold but are within the scope of the Land Control Act and change of user for hotel purposes may be necessary which may call for rent payable to the Government in the region of Shs. 6,000/- per annum. Further the transfers will need approval of H.E. the President being sea-front plots.

18/1/73

C. M. PANDYA

(C.M. Pandya)
Senior Valuer

CMP/mnj.

for COMMISSIONER OF LANDS.

V.O.S. 377

VERIFICATION OF THE FOLLOWING DOCUMENT HAS BEEN REGISTERED AGAINST THIS TITLE:-

No. 2507/2 17th March 1932

Charge to Land & Agricultural

Interest on Mortgage

of the property of the said land

THE FOLLOWING DOCUMENT HAS BEEN REGISTERED AGAINST THIS TITLE:-

No. 2507/3 2nd June 1932

Discharge of Charge to Land & Agricultural

Interest on Mortgage

Nairobi, 20th May 1932 REGISTRAR OF TITLES

THE FOLLOWING DOCUMENT HAS BEEN REGISTERED AGAINST THIS TITLE:-

Discharge of Charge to Land & Agricultural

Interest on Mortgage

of the property of the said land

and the total sum of the said mortgage

has been repaid to the said mortgagee

and the said mortgagee has agreed to

discharge the said mortgage

and the said mortgagee has agreed to

discharge the said mortgage

and the said mortgagee has agreed to

discharge the said mortgage

and the said mortgagee has agreed to

discharge the said mortgage

and the said mortgagee has agreed to

discharge the said mortgage

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and the said mortgagee has agreed to

discharge the said mortgage

and the said mortgagee has agreed to

discharge the said mortgage

and the said mortgagee has agreed to

discharge the said mortgage

THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THIS TITLE:-
*Transfer to George Edward Cunningham Robertson
 and Stuart James Cunningham Robertson*

Wright

Registration No. 600 Date of Registration 22-3-43 REGISTRAR OF TITLES
 THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THIS TITLE:-
Charge to the Land and Agricultural Bank of Kenya

Wright

CERTIFICATE OF TITLE	
TO	WILSON EUGENE WILSON
VICTORIE EUGENE DE CHIRON.	
Form L. O. No.	5003.
District	Naib.
Province	Nyanza.
Term Expiring	1. 10. 2918.

DATED THE 15th DAY OF October 1943.

THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THIS TITLE:-
*Charge to the Land and Agricultural Bank of Kenya
 Wilson and Ernest L. de Chiron
 subject to Will above.*

Wright

Registration No. 647 Date of Registration 22-3-43 REGISTRAR OF TITLES

THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THIS TITLE:-
*Charge of Discharge
 of the above*

Wright

Registration No. 1010 Date of Registration 22-3-43 REGISTRAR OF TITLES

Memo of Charge with Kenya Commercial Bank Limited.

Registration No. 629... Date of Registration 18-7-1972 Registrar of Titles

Memorandum of discharge of charge no. 20 above (partial discharge)

878

28-6-1979

Charge to Kenya Commercial Bank Limited for Kshs. 400,000/- subject to no. 19 above

182

18-6-1979

Transfer of Charge of No. 22 above to Commercial Bank of Africa Limited

782

22-7-79

Further Charge to Commercial Bank of Africa Limited for Kshs. 4,624/- subject to No. 19 above

251

22-7-79

Discharge of Charge No. 22, 23 and 24 above

(with other lands)

23-6-74

Transfer to Fikuzi Limited for Kshs. 41,050, 290/-

(with other lands)

1225

23-6-74