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REPUBLIC OF KENYA

THE SENATE

4TH SESSION

THIRTEENTH PARLIAMENT

THE SENATE
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THE REPORT OF THE SENATE STANDING COMMITTEE ON LAND, ENVIRONMENT AND NATURAL RESOURCES

ON

THE PETITION BY THE FROM RESIDENTS OF MOMBASA COUNTY CONCERNING RECOGNITION OF LAND OWNERSHIP RIGHTS AND REDRESS OF HISTORICAL INJUSTICES IN MOMBASA COUNTY.

SEPTEMBER, 2025

PAPERS LAID
DATE 7/10/2025
TABLED BY Chairperson
COMMITTEE
CLERK AT THE TABLE Clerop

02/10/25

Contents

ABBREVIATIONS 3
PREFACE 4
CHAIRPERSON'S FORWARD 5
Acknowledgement 10
CHAPTER I 10
Introduction 1
Legal Provisions Governing Petitions 3
CHAPTER 2 6
CONSIDERATION OF THE PETITION 6
Submissions by the Petitioners 6
Responses by the National Land Commission 15
CHAPTER 3 16
ISSUES FOR CONSIDERATION 16
CHAPTER 5 21
COMMITTEE OBSERVATIONS 21
CHAPTER 6 24
COMMITTEE RECOMMENDATIONS 24

ABBREVIATIONS

ADR - Alternative Dispute Resolution

CBO - Community-Based Organization

EACC - Ethics and Anti-Corruption Commission

HLI - Historical Land Injustice

MoLPWHUD - Ministry of Lands, Public Works, Housing and Urban Development

NCCC - National Consultative Coordination Committee

NLC - National Land Commission

PREFACE

Mr. Speaker sir,

The Standing Committee on Land, Environment and Natural Resources is established pursuant to standing order 228(3) and the Fourth Schedule of the Senate Standing Orders and is mandated to consider all matters relating to lands and settlement, housing, environment, forestry, wildlife, mining, water resource management and development.

The Committee oversights five Ministries and the respective state departments namely; Ministry of Lands Housing Public Works and Urban Development, Ministry of Environment, Climate Change and Forestry, Ministry of Tourism, Wildlife and Cultural Heritage, Ministry of Water, Sanitation and Irrigation, and Ministry of Mining, Blue Economy and Maritime Affairs. The Committee also oversights the National Land Commission.

Committee Membership

The Committee comprises the following Members-

1. **Sen. Mohamed Mwinyihaji Faki, CBS, MP - Chairperson**
2. **Sen. Karen Nyamu, MP - Vice Chairperson**
3. Sen. James Murango, MP - Member
4. Sen. Johnes Mwashushe Mwaruma, MP - Member
5. Sen. Joe Nyutu, MP - Member
6. Sen. Abdul Haji, MP - Member
7. Sen. Allan Chesang, CBS, MP - Member
8. Sen. Beatrice Akinyi Ogola, MP - Member
9. Sen. Mariam Sheikh Omar, MP – Member

CHAIRPERSON'S FORWARD

At a sitting of the Senate held on Tuesday 6th August 2024, the Honourable Speaker of the Senate reported to the Senate that a Petition had been submitted through the Clerk, by residents of Mombasa County concerning recognition of land ownership rights and redress of historical injustices in Mombasa County.

The Petitioners **drew the attention** of the Senate to the following:

1. THAT the petitioners are residents of Mombasa County residing on the parcels of land registered as original plot numbers MN/11/803,804,805,806,807,80,49 and 79, Mainland North of Mombasa, VIMN/211/12, Kashani 360/11/MN, Kisauni 219/xv11,232/xv11, Mwembe Kuku Plot 1068/XV11, XLV/54 Bondeni Mombasa Island.
2. THAT the residents assert that their forefathers legally acquired the land through legitimate agreements with the original landowners and they emphasize that they are not squatters, but rightful successors of historically owned land.
3. THAT despite longstanding occupancy and payment of rent, they are now being classified as "tenants-at-will", they are being denied formal land ownership documentation such as registered leases.
4. THAT petitioners allege that absentee landlords collect monthly ground rent illegally, do not issue formal rent receipts and frequently increase rent arbitrarily without consultation.
5. THAT the petitioners claim that the original land parcels have been illegally subdivided by landlords without informing or seeking consent from residents, the land use has been changed from agricultural to residential without following legal procedures and the subdivided plots are being valued at exorbitant rates, making them unaffordable to long-term occupants.
6. THAT petitioners claim that, as longstanding residents and occupants, they have pre-emptive rights to purchase the land and landlords are instead offering the land for sale based on current market prices, disregarding historical claims.
7. THAT multiple efforts to engage relevant authorities (National Land Commission

and County Government have not yielded satisfactory resolutions.

8. THAT currently there is no matter before courts, constitutional or legal body touching on the issue of land ownership and historical land injustices in Mombasa County.

The Petitioners prayed that:

9. The Committee intervenes in this matter with a view of;
   i. Investigations into allegations of human rights violations and land injustices within the affected plots of land in Mombasa County with a view to ensuring that the petitioners are awarded land lease agreements.
   ii. Utilizes the findings of this investigation to formulate lasting solutions to the ongoing land ownership issues faced by residents of Mombasa County.
   iii. Recommends a mechanism that allows for the Petitioners to directly pay taxes and/or to the government.
   iv. Make a recommendation for the legal recognition of Petitioners' tenancy rights.
   v. Undertakes a comprehensive analysis to define the specific challenges faced by coastal communities regarding land ownership
   vi. Make a recommendation on provision of clear definitions for terms such as "squatters," "absentee landlords," and "houses without land" within the context of ongoing coastal land reforms.

Pursuant to standing order 238(1) and the Fourth Schedule to the Standing Orders of the Senate, the Petition was committed to the Standing Committee on Land, Environment and Natural Resources.

Pursuant to Articles 37 and 119(1) of the Constitution, section 5(2) of the Petition to Parliament (Procedure) Act and standing order 238(2) of the Senate Standing Orders, the Committee is mandated to consider the Petition and respond to the Petitioners within the prescribed period.

To facilitate a judicious disposal of the Petition, the Committee resolved to conduct an inquiry on the issues raised in the Petition. In this regard the Committee requested the

Petitioners to submit written documents to elaborate further on the issues raised in the Petition and to supply supporting evidence on the same.

The Committee also conducted a public hearing engagement in Mombasa County receiving both oral and written submissions in the presence of the Chairperson, National Land Commission.

The Committee did not seek for responses from the Ministry of Lands, Public Works, Housing and Urban Development (MoLPWHUD) since matters of historical land injustices are domiciled at the National Land Commission.

Committee Observations

The Committee made the following observations-

Prayer One:

That the Committee investigates allegations of human rights violations and historical land injustices affecting the Petitioners residing on the contested parcels of land in Mombasa County, with the aim of facilitating the issuance of land lease agreements to the Petitioners.

The Committee observed that there is urgent need for the NLC to prioritize these cases, conduct thorough investigations, and facilitate the issuance of land lease agreements to verified long-term occupants to provide immediate relief and legal protection.

Prayer Two:

That the Committee utilizes the findings of the investigation to propose long-term and sustainable solutions to the perennial land ownership disputes affecting residents of Mombasa County.

The Committee observed that the NLC needs to incorporate mechanisms including community participation, alternative dispute-resolution mechanisms, and policy harmonization between national and county governments to ensure sustainable solutions to land ownership disputes affecting residents of Mombasa County.

Prayer Three:

That the Committee recommends a legal and administrative framework that allows the Petitioners to directly remit land-related taxes and payments to the national or county government, thereby affirming their occupancy status and supporting formal land tenure.

The Committee observed the need for the MoLPWHUD, NLC and the Mombasa County Government to develop regulations and administrative systems that allows residents to remit land-related taxes and payments directly to the county government.

Prayer Four

That the Committee makes a recommendation for the legal recognition and protection of the tenancy rights of the Petitioners, in line with constitutional provisions and applicable land laws.

The Committee observed that despite existing laws, that NLC and the MoLPWHUD develops clear regulations defining and protecting tenancy rights, particularly for historical occupants, and to expedite the adjudication of pending cases to prevent further injustices.

Prayer Five

That the Committee undertakes a comprehensive analysis to identify and document the specific land ownership and access challenges uniquely affecting coastal communities, particularly in Mombasa County.

The Committee observed that land ownership and access challenges in Mombasa County were unique, shaped by colonial history, cultural dynamics, and legal inconsistencies.

The Committee further observed the need for NLC in carrying out investigations to further undertake a thorough analysis to establish specific challenges and propose context-specific interventions. The Committee observed that the analysis should inform future policy reforms and legislative amendments to ensure equitable land distribution and conflict resolution.

Prayer Six

That the Committee makes a recommendation for the provision of statutory definitions for terms such as "squatters," "absentee landlords," and "houses without land," to ensure clarity and consistency in the implementation of coastal land reforms.

The committee agreed with the Petitioners that a legal framework to protect the tenants at will, squatters, absentee landlords and houses-without-land, would provide recognition and ensure concise implementation of land reforms in the coastal region.

Committee Recommendations

The Committee having investigated the matter in accordance with its mandate under the standing order 228(4) of the Senate Standing Orders recommends that-

1. The National Land Commission (NLC) expedites investigations into all pending historical land injustice claims in Mombasa County and makes final determinations within three (3) months upon adoption of this report;

2. The Mombasa County Government to investigate on matters of alleged illegal subdivisions of land and streamlines the remittance of land rates by the absentee landlords;

3. The Ministry of Lands Public Works Housing and Urban Development and the National Land Commission (NLC) should come up with reasonable land valuation criteria to enable the land owner to charge the lessee and tenants fairly; and

4. The National Land Commission (NLC), undertakes a thorough analysis to document the challenges and propose context-specific interventions that will inform future policy reforms and legislative amendments to ensure equitable land distribution and conflict resolution. These proposals are to be shared with the Committee by 31st December, 2025.

Acknowledgement

The Committee thanks the Offices of the Speaker of the Senate and the Clerk of the Senate for the support extended to the Committee in the execution of its mandate. The Committee further extends its appreciation to the Petitioners and the NLC for their submissions and contribution to the resolution of this matter.

Mr. Speaker Sir,

It is now my pleasant duty and privilege, on behalf of the Committee, to present this Report of the Standing Committee on Land, Environment and Natural Resources on the Petition by the residents of Mombasa County concerning recognition of land ownership rights and redress of historical injustices in Mombasa County.

Signed: _____ **Date:** **30 / 09 / 2025.**

SEN. MOHAMED MWINYIHAJI FAKI, CBS, MP,
CHAIRPERSON,
SENATE STANDING COMMITTEE ON LAND, ENVIRONMENT AND NATURAL RESOURCES.

CHAPTER I

Introduction

10. At the sitting of the Senate held on Tuesday 6th August 2024, The Rt. Hon Speaker, reported to the Senate a Petition by the residents of Mombasa County concerning recognition of land ownership rights and redress of historical injustices in Mombasa County.

11. The Petitioners **drew the attention** of the Senate to the following:

i. THAT the petitioners are residents of Mombasa County residing on the parcels of land registered as original plot numbers MN/11/803,804,805,806,807,80,49 and 79, Mainland North of Mombasa, VIMN/211/12, Kashani 360/11/MN, Kisauni 219/xv11,232/xv11, Mwembe Kuku Plot 1068/XV11, XLV/54 Bondeni Mombasa Island.

ii. THAT the residents assert that their forefathers legally acquired the land through legitimate agreements with the original landowners and they emphasize that they are not squatters, but rightful successors of historically owned land.

iii. THAT despite longstanding occupancy and payment of rent, they are now being classified as "tenants-at-will", they are being denied formal land ownership documentation such as registered leases.

iv. THAT petitioners allege that absentee landlords collect monthly ground rent illegally, do not issue formal rent receipts and frequently increase rent arbitrarily without consultation.

v. THAT the petitioners claim that the original land parcels have been illegally subdivided by landlords without informing or seeking consent from residents, the land use has been changed from agricultural to residential without following legal procedures and the subdivided plots are being valued at exorbitant rates, making them unaffordable to long-term occupants.

vi. THAT petitioners claim that, as longstanding residents and occupants, they have

pre-emptive rights to purchase the land and landlords are instead offering the land for sale based on current market prices, disregarding historical claims.

vii. THAT multiple efforts to engage relevant authorities (National Land Commission and County Government have not yielded satisfactory resolutions.

viii. THAT currently there is no matter before courts, constitutional or legal body touching on the issue of land ownership and historical land injustices in Mombasa County.

The Petitioners prayed that:

i. Investigations into allegations of human rights violations and land injustices within the affected plots of land in Mombasa County with a view to ensuring that the petitioners are awarded land lease agreements.

ii. Utilizes the findings of this investigation to formulate lasting solutions to the ongoing land ownership issues faced by residents of Mombasa County.

iii. Recommends a mechanism that allows for the Petitioners to directly pay taxes and/or to the government.

iv. Make a recommendation for the legal recognition of Petitioners' tenancy rights.

v. Undertakes a comprehensive analysis to define the specific challenges faced by coastal communities regarding land ownership

vi. Make a recommendation on provision of clear definitions for terms such as "squatters," "absentee landlords," and "houses without land" within the context of ongoing coastal land reforms.

Legal Provisions Governing Petitions

12. Petitions to the Senate are governed by the Constitution, the Petition to Parliament (Procedure) Act, No. 22 of 2012 and the Senate Standing Orders.
13. **Article 37** of the Constitution provides that *every person has the right, peaceably and unarmed, to assemble, to demonstrate, to picket, and to present petitions to public authorities* while **Article 119(1)** of the Constitution provides that *"every person has a right to petition Parliament to consider any matter within its authority, including to enact, amend or repeal any legislation."*
14. **Section 5(2)** of the Petition to Parliament (Procedure) Act, provides that *a petition that is tabled in Parliament under this Act shall be considered in accordance with the Standing Orders of the relevant House*. In this regard, standing order 238 of the Senate Standing Orders provides as follows-

Committal of Petitions (SO 238)

15. Every Petition presented or reported pursuant to this Part, shall stand committed to the relevant Standing Committee.
16. Whenever a Petition is committed to a Standing Committee, the Committee shall, in not more than sixty calendar days from the time of reading the prayer, respond to the petitioner by way of a report addressed to the petitioner or petitioners and laid on the Table of the Senate and no debate on or in relation to the report shall be allowed, but the Speaker may, allow comments or observations in relation to the Petition for not more than thirty Minutes.

Standing order 239 requires the Clerk to, within fifteen days of tabling of the report on a petition under Standing Order 238 (Committal of Petitions), submit a copy of the report to the petitioner or petitioners.

Underlying Constitutional and Statutory Provisions

17. **Article 28** of the Constitution of Kenya 2010 provides that every person has inherent dignity and the right to have that dignity respected and protected.
18. **Article 39** of the Constitution of Kenya 2010 stipulates the right of every citizen to

enter, remain in and reside anywhere in the country, and also the right to acquire and own property in any part of Kenya.

19. **Article 40:** Protects the right to own property and prohibits arbitrary deprivation of property. It ensures that all land ownership must be recognized and protected.
20. **Article 60:** Establishes principles of land policy, including equitable access to land, security of land rights, and sustainable land management.
21. **Article 67:** Establishes the National Land Commission (NLC) to manage public land, address historical injustices, and oversee land reforms.
22. **Land Act, 2012**

    i. Part IV: Deals with the registration and recognition of land ownership, requiring that all land be registered and ownership rights be documented.

    ii. Section 26: Provides for the correction of mistakes in land registration and the protection of registered landowners.

    iii. Section 134 provides for the State to establish settlement schemes for provision of access to land to squatters.

23. **Land Registration Act, 2012**

    Section 26: Provides that a Certificate of title is to be held as conclusive evidence of proprietorship except –

    a) on the ground of fraud or misrepresentation to which the person is proved to be a party; or
    b) where the certificate of title has been acquired illegally, unprocedurally or through a corrupt scheme.

24. **National Land Commission Act, 2012**

Section 5 : Provides powers of NLC including –

a) initiate investigations into land injustices and recommend redress; and
b) encourage traditional dispute resolution mechanisms in land conflicts.

25. **Sessional Paper 3 of 2009, the National Land Policy**

    Paragraph 193: Provides that to address the Coastal land problems, the Government shall –

    a) Establish suitable legal and administrative mechanisms to address historical

claims arising from the application of the Land Titles Act (Cap 282) of 1908;

b) Take an inventory of all Government land along the 10-mile coastal strip and other parts of the province where the problem of squatters is prevalent and come up with a framework for conversion to community land for eventual adjudication and resettlement;
c) Provide a legal framework to protect the tenants at will;
d) Establish convenient public utility plots along the coastline to serve as landing sites and for public recreation, and open up all public access roads to the beach;
e) Establish a framework for consulting indigenous occupants of land before establishing settlement schemes and other land use projects;
f) Sensitize and educate people on their land rights and land administration and management procedures; and
g) Regulate ownership and use of islands by foreigners taking into account public policy considerations such as national security.

CHAPTER 2

CONSIDERATION OF THE PETITION

Approach taken by the Committee

26. In considering the Petition, the Committee observed that it would be important to verify the facts alleged in the Petition. The Committee therefore resolved to conduct an inquiry on the issues raised in the Petition.

27. In this regard the Committee received the Petition from the Petitioner through the House and further requested for written submissions and evidence from the Petitioners.

28. The Committee further conducted a public engagement exercise in Mombasa County accompanied by NLC.

Submissions by the Petitioners

29. Vide a letter SEN./13/3/PETITIONS/No.023/2024 dated 6th August, 2024 the Committee invited the Petitioners to physically appear before the Committee on Saturday, 5th April, 2025 during the public engagement in Mombasa County where they provided written submissions and made oral submissions.

30. Below is a pictorial representation of the Committees engagement during the public participation exercise in Mombasa County, Kenya School of Government Social Hall on 5th April, 2025.

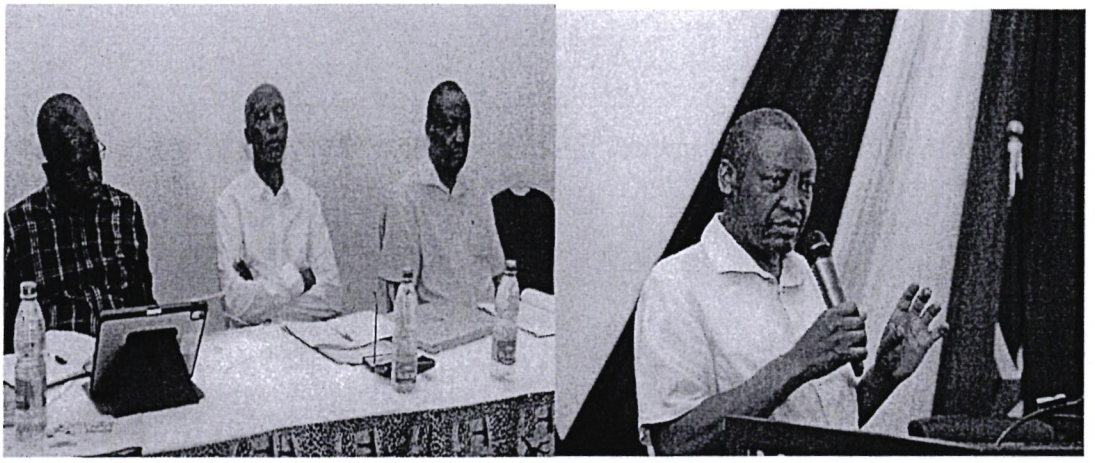

Figure I: Officers from the National Land Commission (NLC) at the public hearings held on 5th April, 2025 at the Kenya School of Government Social Hall. Responding to the concerns raised from the Petitioners and the general public is the Chairperson, NLC, Mr. Gerishom Otachi, EBS.

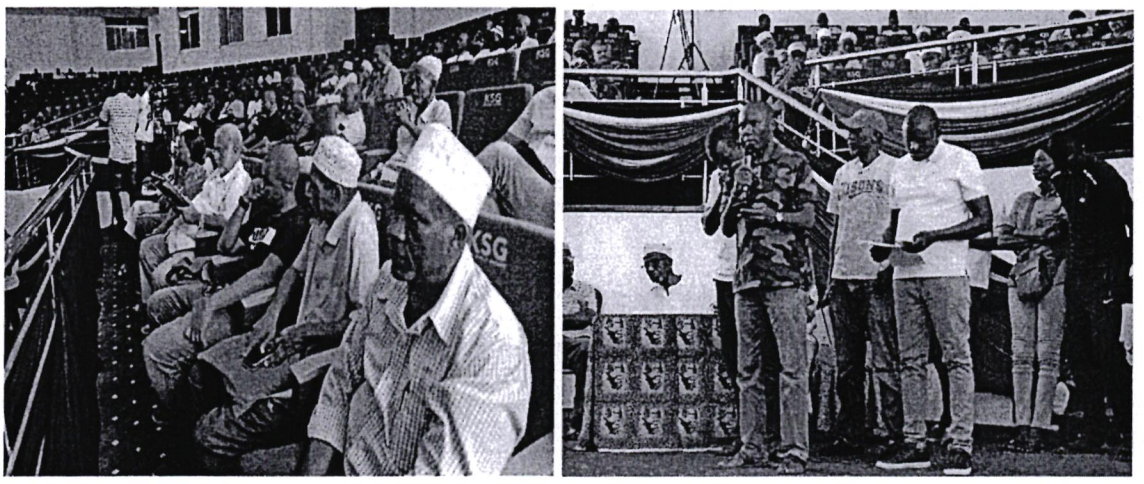

Figure II: Petitioners and the general public during the public hearings held on 5th April, 2025 at the Kenya School of Government Social Hall.



Figure III: From left to right, Sen. Mariam Sheikh, MP (Member), Sen. Joe Nyutu, MP (Member), Sen. Mohamed Faki, CBS, MP (Chairperson) and Sen. Miraj Abdillahi, MP (friend to the committee) during the public hearings held on 5th April, 2025 at the Kenya School of Government Social Hall.

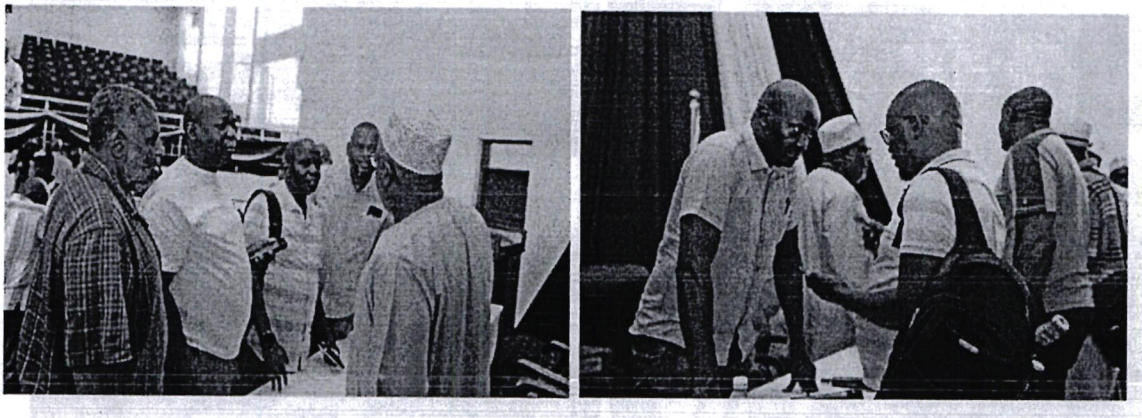

Figure IV: From left to right, Sen. Mohamed Faki, CBS, MP (Chairperson) and Sen. Joe Nyutu, MP (Member) engaging and receiving submissions from the public on the Petition and other historical injustices challenges being faced by the public.

31. Supporting documentation that was received from the Petitioners is summarized herein *(copies also annexed to the report as Petitioners submission – Annex III)-*

I. **General Submissions from Petitioners on MN/11/803,804,805,806,807,80,49 and 79, Mainland North of Mombasa, VIMN/211/12, Kisauni 219/xv11,232/xv11, Mwembe Kuku Plot 1068/XV11, XLV/54 Bondeni Mombasa Island.**

The Petitioners submitted the following submissions:

a) **Government Notice No 239 of 1920**

A copy of the Gazette Notice submitted appointed Sheikh Ali Bin Salim as a member of the authority to prepare a town planning scheme for Mombasa.

b) **Copy of Certificate of Ownership dated 20th January, 1908**

The Colony and Protectorate of Kenya, Land Titles Ordinance, 1908 submitted states that Sheikh Salim Bin Khalfan Elbusaid Liwali of Mombasa is the proprietor of 2.835 acres in Mombasa.

c) **Copy of Certificate of Ownership dated 2nd August, 1908**

The Colony and Protectorate of Kenya, Land Titles Ordinance, 1908 provides the proprietorship of 917 acres in Mombasa.

d) **Indenture Will of Sir Ali Bin Salim K.B.E, C.M.G** (Executor of Seif Bin Salim's Will):

The Petitioners submitted a copy of a will of Sir Ali Bin Salim.

e) **Copy of Certificate of Title dated 15th December, 1930**

The Colony and Protectorate of Kenya, Town Planning (Amendment) Ordinance, 1927, was submitted certifying **Sir Ali Bin Salim** as an executor of Seif Bin Salim's estate

and is the proprietor of the land situated in the District of Mombasa on plan No. 27138 and numbered 219 Sec. XVII and containing 1.577 acres.

f) **Copy of Certificate of Title dated 15th December, 1930**

The Colony and Protectorate of Kenya, Town Planning (Amendment) Ordinance, 1927, was submitted certifying **Sir Ali Bin Salim** as an executor of Seif Bin Salim's estate and is the proprietor of the land situated in the District of Mombasa on plan No. 27147 and numbered 232 Sec. XVII and containing 3.02 acres.

g) **Copy of Certificate of Title dated 15th February, 2002**

A Title Deed, Title Deed Number Mombasa/Block XVII/232 certifies Seif Said, Laila Mohamed Seif and Seif Bin Salim (As Trustees of Seif Bin Salim Trust) as absolute proprietors of the land approximately 5.02 acres.

h) **Copy of Certificate of Title dated 6th May, 2002**

A Title Deed Number Mombasa/Block XVII/219 certifies Seif Said, Laila Mohamed Seif and Seif Bin Salim (As Trustees of Seif Bin Salim Trust) as absolute proprietors of the land approximately 1.577 acres.

i) **Copy of Certificate of Title dated 6th May, 2016**

A Title Deed Number Mombasa/Block XVII/219 certifies Said Bin Seif Properties (2016) Limited and Sharifa Ahmed Busaidy approximately 2.571 acres.

II. **Submissions regarding Mombasa/MN/Thathini/Block 4/ 114 and Kashani Parcel Number 360/11/MN**

j) **Demand Letter from Mkan & Co. Advocates (2024)**

A letter *Reference No.:* MM/MISC/37/24 was addressed to Michael Omondi Okatch regarding demolishing houses and vacation of property L.R. No. Mombasa /MN /Thathini / Block 4/235.

k) **Court Documents**

A court matter under case number, MCELC/E193/2024 was filed on 2nd September 2024 regarding *Thathini Dev. Co. Ltd vs. Gandini Sauti Moja Community and others* where a temporary injunction was issued on 3rd September 2024 against the defendants restraining them from interfering with the Plaintiff's use and occupation of property Mombasa/MN/Thathini/Block/4/114 and Mombasa/MN/Thathini/Block 4/115.
A date for a ruling on the matter in suit has been set for 18th September 2025.

l) **Title Deeds under Thathini Development Company**

Certificates of ownership for L.R. No. Mombasa/MN/Thathini/Block 4/114 and Block 4/115 are under the name of Thathini Development Company are attached as evidence in the court matter, MCELC/E193/2024.

m) **Petition to National Land Commission**

Kashani Residents filed a Historical Land Injustice Claim under *Reference No.* NLC/HLI/828/2021 where Kashani Residents claim for historical injustice redress for Kashani Parcel Number 360/11/MN measuring 917 hectares which they claim to be ancestral land.

n) **Letters from the National Land Commission.**

The Commission in a letter dated 6th February 2024 wrote to Kashani Residents acknowledging receipt of the HLI claim and stated that the claim is under active investigation

The Commission in a letter dated 8th March 2024 wrote to Kashani Residents inviting them for a physical hearing on 19th March 2024 from 9:00 am at Mwidani Hall - Airport Chief's office, Changamwe Sub County.

o) **Historical Land Injustice Claim Form**

Kashani Residents filed a Historical Land Injustice Claim to NLC using Form NLC/HLI/01 on 20th September 2021.

p) **Colonial Survey Report (1920)**

A colonial survey report *Reference No.:* LAND/360/11/MN/SURV/1920 stating Official survey by S.S. Willes documenting Mijikenda land use on Plot No. 360/11/MN (Kashani).

q) **Survey Map (2002)**

A survey map *Reference No.:* SURV/MN/360/2002 was submitted providing for Pre-subdivision map of Kashani Plot No. 360/11/MN.

r) **Letter from Mombasa Land Registrar dated 30th May 2024**

The Mombasa Land Registrar stated that they are in a position to cancel any title already issued for Plots No. 232.XVII & 219/XVII as it is the mandate of the court.

s) **Copies of Surveyor's Submission to the Director of Surveys subject regarding subdivisional Survey reference M1/XVII/219; MSA Municipality.**

t) **Residents List**

A list of residents *Reference No.:* NLC/HLI/828/2021/ANNEX001 was submitted for residents of Kashani from 1900s to 1940s.

u) **Pictorial Evidence of Ancestral Sites**

Pictorial Evidence under *Reference No.:* NLC/HLI/828/2021/ANNEX003 was annexed including photos of Mijikenda burial grounds and shrines.

v) **List of Developments on Kashani Land**

A list of developments *reference No.:* DEV/KASH/360/2024 was submitted containing Schools, clinics, churches, and businesses established by residents.

32. The Petitioners requested an injunction on the affected properties. This appeal stemmed from concerns over the legitimacy of land ownership titles, particularly in relation to historical injustices and fraudulent land transfers.
33. During their oral presentations, the Petitioners stated that –
    i. the original title deed granted to the 'Liwali of Mombasa' was issued in "trustee capacity". They argued that the land in question should not be considered private property but should have been designated as public land in trust;
    ii. they are privy to the history of the will of the Liwali of Mombasa;
    iii. that the will of the Liwali of Mombasa had been stolen;
    iv. they possessed a record of the will, which they believed would help prove their ownership rights;
    v. rates had been set at exorbitantly high levels, making it difficult for the owners to retain their properties;
    vi. the exists a Kashani 360 plot, where the land adjudication process wasn't completed and that the colonial government had declared that the Giriama people who lived in areas like Kisauni be recognized although when title deeds were issued in 2004 they did not reflect the native status of landowners;
    vii. the Committee reviews the adjudication process and provides clarity on how these historical decisions were made;
    viii. that by 30th June, 2024, the National Land Commission had assured them that the land issues would be resolved;

ix. that the Committee conducts a site visit to better understand the challenges surrounding the disputed properties;

x. that there exists multiple plots, including plot numbers 803, 804, 806, 807, and 808, that want the Senate to investigate.

34. The Petitioners requested the committee to;

i. **Expedite Regulations on Historical Injustices**: the formulation of regulations addressing land dispute and that the NLC publishes its report following the Historical Land Injustices (HLI) hearings that have since been held in Mombasa. They believed that such a report would shed light on past land injustices and guide future decisions on land matters.

ii. **Senate provides a clear definition of "tenants at will"** in the context of existing land laws, particularly in relation to absentee landlords. This request was made to clarify the rights and responsibilities of landowners and tenants, especially in cases where landlords are not actively involved in managing their properties.

iii. **Audit of Title Deeds in Mombasa County**: NLC conducts an audit of title deeds in Mombasa County to verify their authenticity and ensure that land ownership is properly documented. This was aimed at addressing discrepancies and ensuring that all land transactions were legitimate.

iv. **Injunction request**: on the affected properties. This request stemmed from concerns over the legitimacy of land ownership titles, particularly in relation to historical injustices and fraudulent land transfers

v. **Review of 2006 Land Task Force Recommendations**: the Committee reviews the recommendations made by the Inter-Ministerial Task Force of 2006, which was under the Ministry of Lands at the time.

Responses by the National Land Commission

35. During a public hearing at the Kenya School of Government in Mombasa on 5th April 2025, the Committee had invited the Chairperson to respond to the Petition.

The National Land Commission responded as follows:

36. In response to the Petitioners' requests, the NLC provided an update on the status of the claims. The NLC reported that 226 land issues had been submitted from the coastal region, with 56 requiring immediate attention.
37. Despite the fact that NLC had conducted a meeting in Bandari Hall in Mombasa in 2024, the meeting was deemed unsatisfactory, and a follow-up meeting was scheduled for March 2025.
38. NLC informed the Committee that that they are yet to make a determination and are still investigating on the land issues in coastal region.
39. The NLC chairman informed the Committee that -
    i. They would endeavor to resolve the claims before their tenure ends;
    ii. The commission is experiencing budget constraints which is a challenge causing delay of the ongoing inquiry; and
    iii. The review of the National land policy is currently at the stakeholder engagement level.

CHAPTER 3

ISSUES FOR CONSIDERATION

1. **Investigate allegations of human rights violations and historical land injustices affecting the Petitioners residing on the contested parcels of land in Mombasa County**

The petitioners submitted evidence as follows:

The Petitioners submitted that their forefathers legally acquired the land through legitimate agreements with original landowners and are not squatters. They highlight colonial-era injustices, including forced evictions and land alienation under British rule, which led to absentee landlords of which they provided pictorial evidence of continuous occupation (e.g., gravesites, schools, churches) for over 60 years.

The National Land Commission responded as follows:

The Commission has initiated a preliminary review of the claims and will undertake a thorough investigation, in accordance with its mandate under the Constitution of Kenya and the National Land Commission Act. The investigation will include stakeholder consultations, a review of land ownership records, and assessment of the historical context surrounding the contested parcels.

Pending the outcome of these investigations, the Commission will consider appropriate recommendations, including facilitation of land lease agreements where justified, to ensure just and equitable resolution in line with national land policy and applicable laws.

Committee Observation

The Committee recognizes the importance of addressing historical land grievances in a manner that upholds the rights of affected communities while ensuring lawful and equitable access to land. It emphasizes the need for the National Land Commission to expedite its inquiry and to consider facilitating the issuance of land lease agreements to the Petitioners, subject to verification of claims and compliance with relevant land laws and policies.

2. **Utilize the findings of the investigation to propose long-term and sustainable solutions to the perennial land ownership disputes affecting residents of Mombasa County**

The petitioners submitted as follows:

The petitioners in their submissions highlighted systemic failures in land adjudication, including, Lack of public participation in coastal land reforms and unresolved NLC mediation (e.g., Gamaka CBO vs. Thathini Development Company). They cite the National Land Commission's (NLC) failure to resolve their claims despite multiple hearings

The National Land Commission responded as follows:

In line with its constitutional mandate under Article 67(2), the Commission is committed not only to investigating historical land injustices but also to formulating actionable recommendations that promote lasting and equitable land administration. Upon completion of the ongoing investigations, the Commission informed the Committee that it will analyze the findings with a view to identifying the root causes of the disputes and propose appropriate legal, policy, and administrative interventions.

Committee Observation

The Committee emphasizes the need for the Commission to coordinate closely with relevant ministries, county governments, and local stakeholders to ensure that the outcomes of the investigations translate into actionable, long-term solutions. The committee urged NLC to deliver clear, time-bound proposals that contribute to tenure security, conflict prevention, and social stability in the region.

3. **Legal and administrative framework that allows the Petitioners to directly remit land-related taxes and payments to the national or county government, thereby affirming their occupancy status and supporting formal land tenure.**

The petitioners made submissions as follows:

Absentee landlords charge illegal rent without issuing receipts and arbitrarily increase rates. They provided copies of rent increment notices and cited lack of lease agreements.

The National Land Commission responded as follows

That they acknowledge the importance of creating mechanisms that both affirm occupancy status and support the transition towards formal land tenure. However ongoing investigations have to be carried out for a determination to be reached.

Committee Observation

The Committee observed the need to have the National Land Commission propose a system that aligns with constitutional principles, safeguards against exploitation, and contributes to long-term land tenure security for affected communities.

4. **Make a recommendation for the provision of statutory definitions for terms such as "squatters," "absentee landlords," and "houses without land," to ensure clarity and consistency in the implementation of coastal land reforms.**

The petitioner submitted evidence as follows:

They reject being labeled "squatters" and demand clarity on legal definitions. They argue that absentee landlords exploit residents without legal oversight. They referenced court cases where landlords failed to prove legitimate ownership.

The National Land Commission responded as follows;

These terms are defined in the National Land Policy, 2009, they have not yet been codified into statutory law, leading to inconsistencies in interpretation and application across various legal and administrative processes.

The Commission agrees that translating these policy definitions into formal legislation is essential to ensure clarity, legal certainty, and consistent implementation of land reforms,

Observations of the Committee

The Committee observed the importance of the Petitioners' call for statutory definitions of terms such as "squatters," "absentee landlords," and "houses without land" to support clarity and consistency in the implementation of coastal land reforms.

The Committee acknowledges a need for a legal framework to protect the 'tenants at will' and that further incorporates definitions into relevant legislation such as the Land Act would significantly enhance legal clarity, facilitate fair adjudication, and support ongoing efforts to resolve historical land injustices.

5. **Legal recognition and protection of the tenancy rights of the Petitioners, in line with constitutional provisions and applicable land laws**

The petitioners submitted evidence as follows

The petitioners claim they have pre-emptive rights to purchase the land but are denied due to exorbitant pricing by landlords. They submitted sworn affidavits and historical documents proving decades of residence. The petitioners cited court injunctions against evictions in the Kashaki, Gandini areas in Kisauni area.

The National Land Commission responded as follows;

The Commission informed the Committee that it recognizes that land tenure insecurity, particularly for tenants in areas of historical land dispute, has been a longstanding issue that affects the well-being and development of affected communities.

The Commission acknowledges that tenants, including those living on land subject to historical injustices or contested ownership, are entitled to legal recognition, protection, and regularization of their tenancy rights under the Land Act and Land Registration Act.

Committee Observation

The Committee observed that there exists gaps in the Law regarding legal and policy gaps that may hinder the full protection of tenancy rights.

6. **Undertake a comprehensive analysis to identify and document the specific land ownership and access challenges uniquely affecting coastal communities, particularly in Mombasa County.**

The petitioners submitted evidence as follows

That through various submissions including legal correspondence, presented evidence alleging irregularities in the allocation and registration of certain land parcels, the land in question was either fraudulently acquired or improperly allocated, and that they are the rightful owners or beneficiaries of the same. The evidence submitted comprised copies of land ownership documents, official correspondence with government agencies, receipts, maps indicating the affected parcels, and affidavits affirming their claims. It was further asserted that due process was not followed in the alienation of the land, with suggestions of administrative malpractice and disregard for legal procedures.

The National Land Commission responded as follows;

NLC reaffirmed its commitment to carrying out a detailed assessment of land-related challenges in Mombasa County and the coastal region at large. The Commission has already undertaken preliminary studies and investigations, but further comprehensive analysis will be crucial for fully understanding the specific land ownership and access issues affecting local communities.

Committee Observation

The Committee observed the need for an objective and thorough analysis that considers the diverse perspectives of all stakeholders involved in land disputes, including local communities, absentee landlords, the county government and other relevant parties.

CHAPTER 5

COMMITTEE OBSERVATIONS

Prayer One:

That the Committee investigate allegations of human rights violations and historical land injustices affecting the Petitioners residing on the contested parcels of land in Mombasa County, with the aim of facilitating the issuance of land lease agreements to the Petitioners.

The Committee observed that there is urgent need for the NLC to prioritize these cases, conduct thorough investigations, and facilitate the issuance of land lease agreements to verified long-term occupants to provide immediate relief and legal protection.

The committee further observed that one of the issues raised in the petition was the issue of legal and illegal threats of evictions towards the squatter residents by the owners of the land they occupy.

Prayer Two:

That the Committee utilize the findings of the investigation to propose long-term and sustainable solutions to the perennial land ownership disputes affecting residents of Mombasa County.

The Committee observed that the NLC needs to develop strategies that include community participation, clear dispute-resolution mechanisms, and policy harmonization between national and county governments to ensure sustainable solutions.

Prayer Three:

That the Committee Recommend a legal and administrative framework that allows the Petitioners to directly remit land-related taxes and payments to the national or county government, thereby affirming their occupancy status and supporting formal land tenure.

The Committee observed that it's the responsibility of the MoLPWHUD, NLC and the Mombasa County Government to develop a system that allows residents to remit land-related taxes and payments directly to the county government.

Prayer Four

That the Committee make a recommendation for the legal recognition and protection of the tenancy rights of the Petitioners, in line with constitutional provisions and applicable land laws.

The Committee observed that existing laws, including the Land Act (2012), provided for tenancy rights but lacked robust enforcement mechanisms, leaving occupants at the mercy of landlords. The Committee recommends that NLC and the Ministry of Lands develop clear regulations defining and protecting tenancy rights, particularly for historical occupants, and to expedite the adjudication of pending cases to prevent further injustices.

The Committee observed that there is need for a Legislative intervention to make provision in the law for the conversion of tenants-at-will occupancy to long-term formal leases occupation.

Prayer Five

That the Committee undertake a comprehensive analysis to identify and document the specific land ownership and access challenges uniquely affecting coastal communities, particularly in Mombasa County.

The Committee observed that land ownership and access challenges in Mombasa County were unique, shaped by colonial history, cultural dynamics, and legal inconsistencies.

Prayer Six

That the Committee makes a recommendation for the provision of statutory definitions for terms such as "squatters," "absentee landlords," and "houses without land," to ensure clarity and consistency in the implementation of coastal land reforms.

The Committee observed that legal definitions of squatters, absentee landlords and houses-without-land, would provide recognition and ensure concise implementation of land reforms in the coastal region.

The Committee further observed that the inter ministerial taskforce report recommendations of 2006 were not published or made available to the public.

CHAPTER 6

COMMITTEE RECOMMENDATIONS

The Committee having investigated the matter in accordance with its mandate under the standing order 228(4) of the Senate Standing Orders recommends that-

1. The National Land Commission (NLC) expedites investigations into all pending historical land injustice claims in Mombasa County and makes final determinations within three (3) months upon adoption of this report;

2. The Mombasa County Government to investigate on matters of alleged illegal subdivisions of land and streamlines the remittance of land rates by the absentee landlords;

3. The Ministry of Lands Public Works Housing and Urban Development and the National Land Commission (NLC) should come up with reasonable land valuation criteria to enable the land owner to charge the lessee and tenants fairly; and

4. The National Land Commission (NLC), undertakes a thorough analysis to document the challenges and propose context-specific interventions that will inform future policy reforms and legislative amendments to ensure equitable land distribution and conflict resolution. These proposals are to be shared with the Committee by 31st December, 2025.

APPENDICES

ANNEX I: MINUTES OF THE MEETINGS

a. Minutes of the 45th sitting held on Friday, 5th April, 2025 – Meeting with the Petitioners

b. Minutes of the 46th sitting held on Friday, 5th April, 2025 – Meeting with the Petitioners and NLC

c. Minutes of the 82nd sitting held on Monday, 22nd April, 2025 – Consideration and Adoption of the Committee Report on the Petition.

ANNEX II: SUBMISSIONS BY KEY STAKEHOLDERS

Annex II (A) – Respondents Submissions responding to the Petition

ANNEX III: SUBMISSIONS BY THE PETITIONER

Annex III (A) – Petition as tabled in the Senate

Annex III (B) – Submissions presented by the Petitioner as evidence backing their Petition

Annex I:

Minutes of the Committee

REPUBLIC OF KENYA
IN THE CHIEF MAGISTRATE'S COURT AT MOMBASA
ENVIRONMENT & LAND CASE NO OF 2024

THATHINI DEVELOPMENT COMPANY LIMITED....1ST PLAINTIFF/APPLICANT

SAHEEM LIMITED.....2ND PLAINTIFF/APPLICANT

=VERSUS=

GANDINI SAUTI MOJA COMMUNITY.....1ST DEFENDANT/RESPONDENT

KASHANI RESIDENTS.....2ND DEFENDANT/RESPONDENT

GAMAKA COMMUNITY BASED ORGANIZATION.....3RD DEFENDANT/RESPONDENT

PETER TARAZA NDUNE.....4TH DEFENDANT/RESPONDENT

NANCY GOE.....5TH DEFENDANT/RESPONDENT

SIMON PETER.....6TH DEFENDANT/RESPONDENT

DAVID CHIFALU.....7TH DEFENDANT/RESPONDENT

SAIDI MGALA.....8TH DEFENDANT/RESPONDENT

USTADH HUSSEIN ALI.....9TH DEFENDANT/RESPONDENT

CORNELIUS KATANA.....10TH DEFENDANT/RESPONDENT

DAVID NGUNZO.....11TH DEFENDANT/RESPONDENT

DAMARIS KATANA.....12TH DEFENDANT/RESPONDENT

STEPHEN RUNYA.....13TH DEFENDANT/RESPONDENT

CERTIFICATE OF URGENCY

I, ONYARI NYAMEINO of P.O Box 42072-80100 Mombasa, an advocate of the High court of Kenya do hereby certify this application urgent and the same ought to be placed before the Honourable duty court at the first instance and be heard on priority basis for the reason;

CERTIFICATE OF URGENCY

I, ONYARI NYAMEINO of P.O Box 42072-80100 Mombasa, an advocate of the High Court of Kenya do hereby certify this application urgent and direct that it be heard before the Honourable Mr. Justice [illegible] on the first mention date.

MINUTES OF THE EIGHTY SECOND (82ND) SITTING OF THE STANDING COMMITTEE ON LAND, ENVIRONMENT AND NATURAL RESOURCES HELD AT FOUR POINTS BY SHERATON, MACHAKOS COUNTY ON MONDAY, 22ND SEPTEMBER, 2025 AT 2:00 PM

PRESENT

1. Sen. Mohamed Mwinyihaji Faki, CBS, MP - **Chairperson**
2. Sen. Johnes Mwashushe Mwaruma, MP - Member
3. Sen. James Murango, MP - Member
4. Sen. Joe Nyutu, MP - Member
5. Sen. Mariam Sheikh Omar, MP - Member

ABSENT WITH APOLOGIES

1. Sen. Karen Nyamu, MP - **Vice Chairperson**
2. Sen. Beatrice Akinyi Ogola, MP - Member
3. Sen. Abdul Haji, MP - Member
4. Sen. Allan Chesang, CBS, MP - Member

IN ATTENDANCE	**SECRETARIAT**
1. Mr. Victor Bett	- Clerk Assistant I
2. Ms. Ivy Nyambura	- Clerk Assistant III
3. Mr. Andrew Nyairo	- Legal Counsel II
4. Mr. John Gichia	–Research Officer III
5. Ms. Keziah Muthama	–Fiscal Analyst III
6. Mr. Simon Muinde	- Audio Officer
7. Mr. Boniface Mbithi	-Serjeant at Arms

MINUTE SEN/LENR/443/2025: PRELIMINARIES

The Chairperson called the meeting to order at 10.14 am followed by a word of prayer.

MINUTE SEN/LENR/444/2025: CONSIDERATION OF COMMITTEE DRAFT PETITION REPORTS

The Chairperson began by informing the meeting that eleven (11) draft reports in total to be considered that had been scheduled for discussion. The Secretariat then proceeded to take the Members through the reports highlighting the Petition backgrounds, engagements with various stakeholders, investigations and county visits conducted as well as the key observations and recommendations.

In the course of deliberations, the Committee examined the draft reports presented and took note of the recommendations advanced by individual Members and resolved that the necessary amendments and refinements be incorporated into the drafts.

Upon conclusion of the discussions and having satisfied itself that the reports adequately captured the issues raised in the petitions and the Committee's determinations thereon, the Committee unanimously resolved to adopt a total of eight (8) Petition Reports as amended with the three (3) remaining Petitions requiring further stakeholder engagements.

The Secretariat was accordingly directed to effect the agreed amendments and prepare the final versions of the approved and adopted reports for tabling before the Senate.

The following reports were approved and adopted with amendments as follows-

i. **Petition by the Residents of Changara in Busia County concerning delays in implementation and completion of the Changara Water Pan World Bank funded project;**
ii. **Petition on historical injustices and illegal alienation of L.R. No. 7153/1, 7153/2, 7153/R, also known as L.R. 12825 in Kiambu County;**
iii. **Petition by Nyandarua IDPs on delayed compensation and occupation of parcels of land;**
iv. **Petition regarding the plight of the landless in Muthanthara, Embu County;**
v. **Petition by Marungu residents within Mghange Mwanda Ward, Taita Taveta County on the alleged threatened eviction from their ancestral land by Mghange Catholic Parish;**
vi. **Petition on ownership dispute over Mwananchi Settlement Scheme in Mwatate Constituency in Taita-Taveta County;**
vii. **Petition concerning recognition of land ownership rights and redress of Historical Injustices in Mombasa County; and**
viii. **Petition by the Mwabundusi land squatters on delayed allocation of land by way of resettlement or compensation for their ancestral land.**

The following reports were deemed unsatisfactory and thus need further engagements with various stakeholders to be completed-

i. **Petition regarding eviction of Korogocho Community living in the Nairobi River Corridor after its declaration as a special planning area, Nairobi County;**
ii. **Petition to the Senate concerning land injustices against the Olderkesi Community Members in Narok West Constituency, Narok County concern; and**
iii. **Petition by CECARE on behalf of Pumwani residents, concerning the conversion of the LR NO. 209/ 2378/1 Pumwani Majengo from public to private land.**

MINUTE SEN/LENR/445/2025 ANY OTHER BUSINESS

There was no other business discussed.

MINUTE SEN/LENR/446/2025 ADJOURNMENT AND DATE OF NEXT MEETING

The meeting was adjourned at 6.34 pm. The date of the next meeting was to be called on notice.

SIGNED..... **DATE**..20/9/2025

SEN. MOHAMED MWINYIHAJI FAKI, CBS, MP
CHAIRPERSON
STANDING COMMITTEE ON LAND, ENVIRONMENT AND NATURAL RESOURCES.

MINUTES OF THE FORTY SIXTH SITTING OF THE STANDING COMMITTEE ON LAND, ENVIRONMENT AND NATURAL RESOURCES HELD ON FRIDAY, 5TH APRIL, 2025 IN THE AUDITORIUM, KENYA SCHOOL OF GOVERNMENT, MOMBASA COUNTY AT 2:00 PM

PRESENT

1. Sen. Mohamed Mwinyihaji Faki, CBS, MP - **Chairperson**
2. Sen. Johnes Mwashushe Mwaruma, MP - Member
3. Sen. Joe Nyutu, MP - Member
4. Sen. Mariam Sheikh Omar, MP - Member
5. Sen. Beatrice Akinyi Ogola, MP - Member

ABSENT WITH APOLOGIES

1. Sen. Karen Nyamu, MP - **Vice Chairperson**
2. Sen. Allan Chesang, CBS, MP - Member
3. Sen. Abdul Haji, MP - Member
4. Sen. James Murango, MP - Member

IN ATTENDANCE

NATIONAL LAND COMMISSION

1. Mr. Gershom Otachi, EBS –Chairman
2. Prof. James K. Tuitoek - Commissioner
3. Mr. Elijah Letangule –Deputy Director

PETITIONERS

1. Ms. Doris Dama Katana
2. Mr. Nagib Shamson
3. Mr. Rajab Sumba
4. Mr. Abdillahi Farah Haji

SECRETARIAT

1. Mr. Boniface Leinaroshi –Deputy Director, DSEC
2. Mr. Victor Bett –Clerk Assistant 1
3. Ms. Ivy Nyambura - Clerk Assistant III
4. Mr. Andrew Nyairo - Legal Counsel II
5. Ms. Janice Lekuton - Research Officer III
6. Mr. Simon Muinde - Audio Officer
7. Mr. Jack Lemeteki -Assistant Media Relations Officer
8. Mr. Boniface Mbithi - Serjent at Arms

MINUTE SEN/LENR/261/2025: **PRELIMINARIES**

The Chairperson called the meeting to order at 2.10 pm followed by a word of prayer.

MINUTE SEN/LENR/262/2025 **MEETING WITH THE PETITIONERS ON THE PETITION CONCERNING RECOGNITION OF LAND OWNERSHIP RIGHTS AND REDRESS OF HISTORICAL INJUSTICES IN MOMBASA COUNTY**

The Chairperson invited the Chairman, National Land Commission to respond to issues raised by the Petitioners including supplementary questions from the Public regarding land matters.

The Chairman, NLC gave responses on the questions largely revolved around delayed or lack thereof of responses in petition sent to the Commission regarding historical land injustices. He stated that the Commission was in fact still considering a number of these matters but were experiencing challenges in manpower and budgetary constraints. However, the Commission was committed to ensuring that matters are addressed before the end of their tenure as Commissioners.

The Chair of the session thanked the Chairman, NLC for his response and presentation and appreciated NLC's commitment to address the issues and handed it back to the substantive Chairperson of the Committee to conclude the meeting.

The Chairperson emphasized the role of the Committee and indicated that the committee is currently considering matters raised during the meeting and is committed to resolve issues under their mandate. He proceeded to thank the Committee and participants for attending the meeting and called the meeting to a close.

MINUTE SEN/LENR/LENR/263/2025 **ANY OTHER BUSINESS**

There was no other business discussed.

MINUTE SEN/LENR/LENR/264/2025 **ADJOURNMENT AND DATE OF NEXT MEETING**

The meeting was adjourned at 3.40 pm. The date of the next meeting was to be called on notice.



SIGNED..... **DATE.....17/4/2025**

SEN. MOHAMED MWINYIHAJI FAKI, CBS, MP
CHAIRPERSON
STANDING COMMITTEE ON LAND, ENVIRONMENT AND NATURAL RESOURCES

MINUTES OF THE FORTY FIFTH SITTING OF THE STANDING COMMITTEE ON LAND, ENVIRONMENT AND NATURAL RESOURCES HELD ON FRIDAY, 5TH APRIL, 2025 IN THE AUDITORIUM, KENYA SCHOOL OF GOVERNMENT, MOMBASA COUNTY AT 9:00 AM

PRESENT

1. Sen. Mohamed Mwinyihaji Faki, CBS, MP - **Chairperson**
2. Sen. Johnes Mwashushe Mwaruma, MP - Member
3. Sen. Joe Nyutu, MP - Member
4. Sen. Mariam Sheikh Omar, MP - Member
5. Sen. Beatrice Akinyi Ogola, MP - Member

ABSENT WITH APOLOGIES

1. Sen. Karen Nyamu, MP - **Vice Chairperson**
2. Sen. Allan Chesang, CBS, MP - Member
3. Sen. Abdul Haji, MP - Member
4. Sen. James Murango, MP - Member

IN ATTENDANCE

NATIONAL LAND COMMISSION

1. Mr. Gershom Otachi, EBS –Chairman
2. Prof. James K. Tuitoek - Commissioner
3. Mr. Elijah Letangule –Deputy Director

PETITIONERS

1. Ms. Doris Dama Katana
2. Mr. Nagib Shamson
3. Mr. Rajab Sumba
4. Mr. Abdillahi Farah Haji

SECRETARIAT

1. Mr. Boniface Leinaroshi	–Deputy Director, DSEC
2. Mr. Victor Bett	–Clerk Assistant 1
3. Ms. Ivy Nyambura	- Clerk Assistant III
4. Mr. Andrew Nyairo	- Legal Counsel II
5. Ms. Janice Lekuton	- Research Officer III
6. Mr. Simon Muinde	- Audio Officer
7. Mr. Jack Lemeteki	-Assistant Media Relations Officer
8. Mr. Boniface Mbithi	- Serjent at Arms

MINUTE SEN/LENR/257/2025: **PRELIMINARIES**

The Chairperson called the meeting to order at 9.20 am followed by a word of prayer.

MINUTE SEN/LENR/258/2025 **MEETING WITH THE PETITIONERS ON THE PETITION CONCERNING RECOGNITION OF LAND OWNERSHIP RIGHTS AND REDRESS OF HISTORICAL INJUSTICES IN MOMBASA COUNTY**

The Chairperson began by expressing his gratitude to members and petitioners for their attendance of the meeting before giving a brief overview of the Petition and specific Prayers set out in the Petition.

The Petitioners were then welcomed to present their prayers and table their submissions and evidence before the Committee. They began by raising a preliminary objection requesting the Chair to allow another Members to preside over the meeting over alleged conflict of interest. The Committee considered the preliminary objection and resolved to allow the Chair to recuse himself and Sen. Joe Nyutu, MP to act as chair for the meeting.

The Petitioners were reassured by the committee that the consideration, resolution and recommendations would be made by the members of the Committee as a whole. They then proceeded to give oral and written presentations to the Committee.

The Committee was briefed on the background of the Petition stating that their forefathers acquired the land through legitimate agreements with the original landowners, asserting that they are not squatters. Additionally, that despite being legal homeowners on these specific plots, they are now being referred to as 'tenants-at-will' and are compelled to pay monthly ground rent to absentee landlords. These landlords proceed to conduct unfair rent

practices by charging the petitioners illegal monthly rent without providing formal receipts which they continually increase without any consultations.

On concluding their oral submissions the Petitioners prayed that the Senate intervenes in the matters stated above with a view of recommending;

i. Investigation into allegations of human rights violations and land injustices within the affected plots of land in Mombasa County with a view to ensure that the Petitioners are awarded land lease agreements.
ii. Utilizes the findings of this investigation to formulate lasting solutions to the ongoing land ownership issues faced by residents of Mombasa County.

iii. Recommends mechanism that allows for the Petitioners to directly pay taxes and/or to the government.

iv. Make a recommendation for the legal recognition of Petitioners' tenancy rights.

v. Undertakes a comprehensive analysis to define the specific challenges faced by coastal communities regarding land ownership.

vi. Make a recommendation on provision of clear definitions for terms such as 'squatters', 'absentee landlords', and 'houses without land' within the context of ongoing coastal land reforms.

The Chairperson requested that the written presentations and evidence be submitted to the Secretariat for consideration by the committee. Additionally, members of the public were welcomed to take the opportunity to ask any question pertaining to the Petition and land matters in general to the Committee and the National Land Commission Members present.

MINUTE SEN/LENR/LENR/259/2025 ANY OTHER BUSINESS

There was no other business discussed.

MINUTE SEN/LENR/260/2025 ADJOURNMENT AND DATE OF NEXT MEETING

The meeting was adjourned at 1.00 pm. The date of the next meeting was to be on Saturday, 5th April, 2025 at 2.00pm.

SIGNED..... **DATE**..... **17/4/2025**

SEN. MOHAMED MWINYIHAJI FAKI, CBS, MP
CHAIRPERSON
STANDING COMMITTEE ON LAND, ENVIRONMENT AND NATURAL RESOURCES

Annex II:

Submissions by key Stakeholders

REPUBLIC OF KENYA

THE SENATE CLERK'S OFFICE
RECEIVED
09 APR 2025
P.O. Box 41842 - 00100, NAIROBI

MINISTRY OF GENDER, CULTURE, THE ARTS AND HERITAGE
STATE DEPARTMENT FOR CULTURE, THE ARTS & HERITAGE

Telegrams Tel: (254-020) 2226007
Mobile: 0722509212
E-mail: info@archives.go.ke
Website: http://www.archives.go.ke

When replying please quote

Ref. No KNA/7/3

(1) DSEC
Kindly deal
09/04/2025

KENYA NATIONAL ARCHIVES
AND DOCUMENTATION SERVICE,
MOI AVENUE,
P. O. BOX 49210,
NAIROBI, KENYA.

2nd April, 2025

J.M NYEGENYE,CBS
CLERK OF THE SENATE
OFFICE OF THE CLERK
OF THE SENATE
P.O BOX 41842 – 00100
NAIROBI

THE SENATE
RECEIVED
09 APR 2025
DIRECTOR COMMITTEE SERVICES
(DGAC)

(2) DDSEC (BL)
Kindly deal
09/04/2025

Dear Sir,

RE: REQUEST FOR DETAILS OF LAND AJUDICATION RECORDS OF PERCELS OF LAND NUMBERS, MOMBASA /BLOCK XVII/232,219,1068 AND XLV/54 IN MOMBASA COUNTY.

Reference is made to your letter REF: SEN/DSEC/DPEAC/LENR/2025(3) (100) dated 24th March, 2025 on the above subject.

This is to inform you that we have found information on the parcels shown above.

We have not found information on parcel no. Mombasa / Block/ XVII/1068. In case we get it we shall not hesitate to forward to you for your further action.

Yours Sincerely

FRANCIS G. MWANGI, OGW
DIRECTOR

(3) Mr. Bitt
Kindly deal
10/04/25

THE SENATE
RECEIVED
09 APR 2025
DIRECTOR COMMITTEE SERVICES
(DSEC)

TAWS

EDITION: 2

OPENED: 7-8-87

PART A - PROPERTY SECTION

REGISTRATION SECTION	EASEMENTS ETC	NATURE OF TITLE
MOMBASA BLOCK XVII		ABSOLUTE
PARCEL NUMBER		
54		
APPROXIMATE AREA		
0.670 Ha.		
REGISTRY MAP SHEET No.		
MOMBASA BLOCK XVII		

PART B - PROPRIETORSHIP SECTION

ENTRY No.	DATE	NAME OF REGISTERED PROPRIETOR	ADDRESS AND DESCRIPTION OF REGISTERED PROPRIETOR	CONSIDERATION AND REMARKS	SIGNATURE OF REGISTRAR
3.	7.8.87	~~1. ROBERT M GOGO and 2. MRS. ABIGAEL ROBERT GOGO as joint proprietors in respect of 1/11th share of Peter Mwamburi Saut All of~~	P.O Box 95036 NSA SHS 30,000/-		[signature]
4.	7.8.87	~~ALI NASSOR SALIM ABDALLA in respect of 1/11th undivided share of Robert M. GOGO and MRS. ABIGAEL ROBERT GOGO~~	P.O Box 83645 NSA SHS 120,000/-		[signature]
5.	7.8.87	~~LAND CERTIFICATE ISSUED~~			
6	15.9.87	OMAR MUBARAK ALI IN RESPECT OF 1/11th UNDIVIDED SHARE OF ALI NASSOR SALIM ABDALLA	P.O Box 83645 MOMBASA SHS 100,000/-		[signature]

Kalamazoo 767038-611

TITLE BELOW THIS LINE

TITLE NUMBER	REGISTRATION SECTION	PARCEL No.
	MOMBASA Block XVII	54

TAWS LTD

EDITION 1

OPENED:

PART A - PROPERTY SECTION

REGISTRATION SECTION	EASEMENTS ETC	NATURE OF TITLE
MOMBASA/BLOCK/XVII		
PARCEL NUMBER 219		
APPROXIMATE AREA 1.577 ACRES		ABSOLUTE
REGISTRY MAP SHEET NO MOMBASA/BLOCK/XVII		BOUNDARIES FIXED. PLAN FILED.

PART B - PROPRIETORSHIP SECTION

ENTRY NO	DATE	NAME OF REGISTERED PROPRIETOR	ADDRESS AND DESCRIPTION OF REGISTERED PROPRIETOR	CONSIDERATION AND REMARKS	SIGNATURE OF REGISTRAR
1		Said Bin Seif, Ali Bin Mohamed & Mohamed Said as Trustees of Wakf	P. O. Box		

Kalamazoo
03199-611

TITLE BELOW THIS LINE

TITLE NUMBER

REGISTRATION SECTION
MOMBASA/BLOCK/XVII

PARCEL NO.
219

PART C - ENCUMBRANCES SECTION

ENTRY NO	DATE	NATURE OF ENCUMBRANCE	FURTHER PARTICULARS	SIGNATURE OF REGISTRAR

TAWS LTD.

EDITION: 1
OPENED:

PART A - PROPERTY SECTION

REGISTRATION SECTION	EASEMENTS ETC.	NATURE OF TITLE
MOMBASA/BLOCK XVII	No Transaction to be accepted	
PARCEL NUMBER: 232		
APPROXIMATE AREA: 5.02 ACRES		ABSOLUTE
REGISTRY MAP SHEET NO.: MOMBASA/BLOCK XVII		Boundaries fixed Plan filed

PART B - PROPRIETORSHIP SECTION

ENTRY NO.	DATE	NAME OF REGISTERED PROPRIETOR	ADDRESS AND DESCRIPTION OF REGISTERED PROPRIETOR	CONSIDERATION AND REMARKS	SIGNATURE OF REGISTRAR
1		Mohamed Said Said bin Seif and Ali bin Mohamed as Trustees Caveat dated 26/9/1962 By The East African Power & Lighting Co.Ltd. claiming a grant of easement			

Kalamazoo
03199-611

TITLE BELOW THIS LINE

TITLE NUMBER | REGISTRATION SECTION | PARCEL NO. 232

PART C - ENCUMBRANCES SECTION

ENTRY NO.	DATE	NATURE OF ENCUMBRANCE	FURTHER PARTICULARS	SIGNATURE OF REGISTRAR

Original Submission

Mkan & Company Advocates

Commissioner for Oaths and Notary Public

5/4/25

M.Mkan

Our Ref: MM/MISC 37/24 Your Ref: T.B.A Date: 11/10/2024

To;

Dear Sir/Madam,

RE: LAND PARCEL NO. MOMBASA/MN/THATHINI BLOCK 4/235

We have been instructed by our client namely MICHAEL OMONDI OKATCH the proprietor of plot No. Mombasa/MN/Thathini Block 4/235 who has instructed as to write to you as follows;

That you together with others moved into our client's plot and started constructing illegal houses thereon without our client's knowledge and or consent.

In that respect our mandatory instructions are to demand from you which we hereby do that you do demolish your said houses and move out of the said land immediately failure to which our client shall proceed to take all the necessary legal action to ensure that you comply with the same at your own peril as to all costs and consequences incidental thereto.

TAKE NOTICE THAT unless you shall have vacated the above mentioned land within the next Fourteen (14) days from the date hereof. We have mandatory instructions to proceed with the necessary legal action to ensure that you are legally evicted from the said land without any further reference to you.

Yours faithfully,
MKAN & COMPANY, ADVOCATES

M. MKAN.

Cc: Client

LOTUS PLAZA, 1ST FLOOR
CATHEDRAL ROAD
P.O. BOX 86875
MOMBASA-KENYA

0721 422441

mkan.co.advocates@gmail.com
info@mkanadvocates.co.ke

1. **THAT** the 1st Plaintiff is the lawful, registered and absolute owner of Land Registration Number **Mombasa/MN/Thathini/Block 4/114(Hereinafter called "the property")**
2. **THAT the 2nd Plaintiff is the lawful agent of the 1st Plaintiff duly authorized to develop, subdivide and sell the property for and on behalf of the Plaintiff.**

3. **THAT** the Defendants have without any colour of right, justification and plausible reason invaded the suit parcel, used witchcraft paraphernalia, criminal gangs and other detrimental tactics to scare off potential buyers at the detriment of the Plaintiff.

4. **THAT** the interference of the suit property by the Defendants is malicious and born out of blackmail and extortion after the Plaintiffs the National Land Commission mediated and found the Plaintiffs as the rightful owners of the suit property.

5. **THAT** the Plaintiffs have attempted to have the matter amicably resolved through the local administration but the Defendants have frustrated the said attempts.

6. **THAT** the Plaintiffs have incurred a lot of costs in subdivision, survey and marketing of the property and they risk financial loss.

7. **THAT** it is in the interest of justice that this Honourable Court certifies the present application as urgent and grant the prayers sought.

8. **THAT** if the Honourable Court does not urgently intervene to stop this irregular, unjustifiable and illegal possession, use and occupation of the suit property by the Defendant, the Plaintiff/Applicant stands to suffer irreparable harm which cannot be compensated by money damages.

DATED at **MOMBASA** this **2nd** day of **September** 2024

ONYARI NYAMEINO & CO.
ADVOCATES FOR THE PLAINTIFFS/APPLICANTS

DRAWN & FILED BY: -
ONYARI NYAMEINO & CO ADVOCATES,
NSSF BUIDING,7TH FLOOR RM 837,
NKRUMAH ROAD
P.O BOX 43072-80100
MOMBASA
Admn. No. P.105/18129/20

DATED at MOMBASA this 27th day of September 2024

ONYARI NYAMEINO & CO.
ADVOCATES FOR THE PLAINTIFF/APPLICANTS

DRAWN & FILED BY:
ONYARI NYAMEINO & CO. ADVOCATES
NSSF BUILDING 27TH FLOOR ROOM 803
NKRUMAH ROAD
P.O BOX 43072-80100
MOMBASA
Admn No. P.105/1812/20

REPUBLIC OF KENYA
IN THE CHIEF MAGISTRATE'S COURT AT MOMBASA
ENVIRONMENT & LAND CASE NO OF 2024

THATHINI DEVELOPMENT COMPANY LIMITED....1ST PLAINTIFF/APPLICANT

SAHEEM LIMITED.....2ND PLAINTIFF/APPLICANT

=VERSUS=

GANDINI SAUTI MOJA COMMUNITY.....1ST DEFENDANT/RESPONDENT

KASHANI RESIDENTS.....2ND DEFENDANT/RESPONDENT

GAMAKA COMMUNITY BASED
ORGANIZATION.....3RD DEFENDANT/RESPONDENT

PETER TARAZA NDUNE.....4TH DEFENDANT/RESPONDENT

NANCY GOE.....5TH DEFENDANT/RESPONDENT

SIMON PETER.....6TH DEFENDANT/RESPONDENT

DAVID CHIFALU.....7TH DEFENDANT/RESPONDENT

SAIDI MGALA.....8TH DEFENDANT/RESPONDENT

USTADH HUSSEIN ALI.....9TH DEFENDANT/RESPONDENT

CORNELIUS KATANA.....10TH DEFENDANT/RESPONDENT

DAVID NGUNZO.....11TH DEFENDANT/RESPONDENT

DAMARIS KATANA.....12TH DEFENDANT/RESPONDENT

STEPHEN RUNYA.....13TH DEFENDANT/RESPONDENT

NOTICE OF MOTION

(Under Article 40 of the Constitution of Kenya 2010, section 152 of the Land Act, Section 24 of the Land registration Act, Section 3 & 3A of the Civil Procedure Act, Order 51 and Order 40 of the Civil Procedure Rules (2010) and all other enabling provisions of the law)

IN THE HIGH COURT OF KENYA
IN THE CONSTITUTIONAL AND HUMAN RIGHTS DIVISION AT NAIROBI
CONSTITUTIONAL & HUMAN RIGHTS NO. ____ OF 2020

IN THE MATTER OF THE ENFORCEMENT OF FUNDAMENTAL RIGHTS AND FREEDOMS UNDER ARTICLES 22 AND 23 OF THE CONSTITUTION OF KENYA 2010

AND IN THE MATTER OF ARTICLES 1, 2, 3, 10, 19, 20, 21, 22, 23, 27, 28, 29, 31, 40, 43, 47, 48, 50, 53, 54, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

AND IN THE MATTER OF THE CONSTITUTION OF KENYA (AMENDMENT) ACT, 2020

AND IN THE MATTER OF THE CONSTITUTION OF KENYA (AMENDMENT) BILL

TAKE NOTICE that this Honourable Court will be moved on the ..... day of .....2024, at 9:00 O'clock or in the forenoon or soon thereafter as Counsel for the Plaintiff/Applicant can be heard on an application for ORDERS:-

1. THAT this application be certified as urgent and heard ex-parte in the first instance.

2. THAT **pending** the hearing and the determination of this application this Honourable Court do issue an order of injunction against the Defendants/Respondents herein to restrain them and their agents from, invasion, encroaching, blocking access, barricading roads, occupation, threatening potential buyers and or otherwise interfering with the Plaintiffs use and occupation property known as **Mombasa/MN/Thathini/Block 4/114 and Mombasa/MN/Thathini/Block 4/115**

3. THAT **pending** the hearing and the determination of this suit this Honourable Court issue an order of injunction against the Defendants/Respondents herein to restrain them and their agents from, invasion, encroaching, blocking access, barricading roads, occupation, threatening potential buyers and or otherwise interfering with the Plaintiffs use and occupation property known as **Mombasa/MN/Thathini/Block 4/114 and Mombasa/MN/Thathini/Block 4/115**

4. THAT the Officer in charge Kiembeni Police Station, OCPD Kisauni County Police Commander Mombasa and/or Regional Police Commander Coast ensure compliance with the orders.

5. THAT the costs of this Application be awarded to the Plaintiff/Applicant.

WHICH APPLICATION is based on the following grounds and the Affidavit **of KENNEDY WEKESA** annexed hereto and further on other reasons to be adduced at the hearing hereof.

a) **THAT** the 1st Plaintiff is the lawful, registered and absolute owner of Land Registration Number **Mombasa/MN/Thathini/Block 4/114 and Mombasa/MN/Thathini/Block 4/115** and thus legally entitled to enjoy his proprietary rights of unfettered use and occupation vide Section 24 of the Land Registration Act

b) **THAT** the 2nd Plaintiff is the lawfully appointed agent of the 1st Plaintiff mandated to manage, advertise and offer for sale the portions of the suit property to potential buyers

c) **THAT** the Defendants have without any colour of right, justification and plausible invaded, encroached and blocked access to the property to both the Plaintiffs and other prospective buyers.

d) **THAT** the Plaintiffs have attempted to have the matter amicably resolved through the local administration from the local chief to the Deputy County Commissioner but the Defendants have frustrated the said attempts.

e) **THAT** the Plaintiffs have incurred a lot of costs in subdivision, survey and marketing of the property and they risk financial loss.

f) **THAT** it is in the interest of justice that this Honourable Court certifies the present application as urgent and grant the prayers sought.

THAT if the Honourable Court does not urgently intervene to stop this irregular, unjustifiable and illegal possession, use and occupation and interference with the suit property by the Defendants, the Plaintiffs/Applicants stand to suffer irreparable harm which cannot be compensated by money damages

DATED at MOMBASA this 2nd day of **September** 2024.

ONYARI NYAMEINO & CO.
ADVOCATES FOR THE PLAINTIFF/APPLICANT

DRAWN & FILED BY:-
ONYARI NYAMEINO & CO ADVOCATES,
NSSF BUIDING,7TH FLOOR RM 837,
NKRUMAH ROAD
P.O BOX 43072-80100
MOMBASA
Admn. No. P.105/18129/20

TO BE SERVED UPON:-
GANDINI SAUTI MOJA COMMUNITY
GAMAKA COMMUNITY BASED ORGANIZATION
KIEMBENI RESIDENTS
PETER TARAZA NDUNE
NANCY GOE
SIMON PETER
DAVID CHIFALU
SAIDI MGALA
USTADH HUSSEIN ALI
CORNELIUS KATANA
DAVID NGUNZO
DAMARIS KATANA
STEPHEN RUNYA

REPUBLIC OF KENYA
IN THE CHIEF MAGISTRATE'S COURT AT MOMBASA
ENVIRONMENT & LAND CASE NO OF 2024

THATHINI DEVELOPMENT COMPANY LIMITED....1ST PLAINTIFF/APPLICANT

SAHEEM LIMITED.....2ND PLAINTIFF/APPLICANT

=VERSUS=

GANDINI SAUTI MOJA COMMUNITY.....1ST DEFENDANT/RESPONDENT

KASHANI RESIDENTS.....2ND DEFENDANT/RESPONDENT

GAMAKA COMMUNITY BASED ORGANIZATION.....3RD DEFENDANT/RESPONDENT

PETER TARAZA NDUNE.....4TH DEFENDANT/RESPONDENT

NANCY GOE.....5TH DEFENDANT/RESPONDENT

SIMON PETER.....6TH DEFENDANT/RESPONDENT

DAVID CHIFALU.....7TH DEFENDANT/RESPONDENT

SAIDI MGALA.....8TH DEFENDANT/RESPONDENT

USTADH HUSSEIN ALI.....9TH DEFENDANT/RESPONDENT

CORNELIUS KATANA.....10TH DEFENDANT/RESPONDENT

DAVID NGUNZO.....11TH DEFENDANT/RESPONDENT

DAMARIS KATANA.....12TH DEFENDANT/RESPONDENT

STEPHEN RUNYA.....13TH DEFENDANT/RESPONDENT

SUPPORTING AFFIDAVIT

I, **KENNEDY WEKESA** of Post office Box Number **2534-80100** Mombasa in the Republic of Kenya do hereby swear on oath and say as follows:

1. **THAT** I am the Director of the 2nd Plaintiff/Applicant herein hence competent to swear and depone to this affidavit.

2. **THAT** in support of the averments in support of my application before this Honourable Court I will rely on the bundle that I mark and produce as **"Exhibit A"** which consists of the following documents

3. **THAT** the 1st Plaintiff is the registered owner of **Land Reference No. Mombasa/MN/Thathini/Block 4/114 and Mombasa/MN/Thathini/Block 4/115 hereinafter called the Property(Attached and produced as Exhibit A 1 and 2 are copies of the said title deeds)**

4. **THAT** the 1st Plaintiff was interested in disposing off the said properties to help clear a loan and contracted the 2nd Defendant to help subdivide, market and sell the property on its behalf **(Attached and produced as Exhibit B is a copy of the said letter of authority).**

5. **THAT** being the Director of the 2nd Plaintiff, I embarked on procuring surveyors to subdivide the said parcels of land in order to sell them**(Attached as Exhibit C is a copy of the proposed subdivision plan)**

6. **THAT** we have found many willing buyers and all our attempts to take them to view the property have been met with hostility from the Defendants, their agents and cronies. This hostility has included invasion, encroaching, blocking access and occupation of the suit premises. The Defendants have also used sorcery and witchcraft paraphernalia on the property in what appears to be malicious and deliberate attempts to frustrate the use, occupation and full realization of the property.

7. **THAT** I am apprehensive that the Defendants are undertaking these malicious and deliberate activities to curtail the enjoyment of the Plaintiffs' constitutional and statutory rights as the registered, legal and absolute owner of the suit property if the orders sought under certificate are not granted at first instance.

8. THAT the Defendants through their members have threatened me with death, curses, witchraft and sorcery by lighting fires and burning tyres near and around the suit premises.

9. **THAT** it is in the interest of justice and protection of right to property that this Honorable Court grants the orders sought to prevent a continued violation of justice occasioned by the injustice being visited upon the Plaintiff by the Defendant.

10. **THAT** the Defendants will suffer no prejudice if the orders sought from this Honourable Court are granted.

11. **THAT** what is deponed herein above is true to the best of my knowledge information and belief.

SWORN at **MOMBASA**)
this **2nd** day of **September** 2024)
By the said) .....

KENNEDY WEKESA) Deponent
)
BEFORE ME:)

COMMISSIONER FOR OATHS

DRAWN & FILED BY: -
ONYARI NYAMEINO & CO ADVOCATES,
NSSF BUIDING,7TH FLOOR RM 837,
NKRUMAH ROAD
P.O BOX 43072-80100
MOMBASA
Admn. No. P.105/18129/20

TO BE SERVED UPON:-
GANDINI SAUTI MOJA COMMUNITY
GAMAKA COMMUNITY BASED ORGANIZATION
PETER TARAZA NDUNE
NANCY GOE
SIMON PETER
DAVID CHIFALU
SAIDI MGALA
USTADH HUSSEIN ALI

REPUBLIC OF KENYA

THE LAND REGISTRATION ACT

(No. 3 of 2012, section 108)

THE REGISTERED LAND ACT

(Chapter 300) (REPEALED)

This is the exhibit marked "AH1"
Referred to in the annexed Declaration Affidavit
Kenneth Kipkosgei
Declared Sworn before me this 15th day of
Oct 20 24 in the Republic of Kenya
Commissioner For Oaths

Title Deed

Title Number MOMBASA/MN/THATHINI/BLOCK 4/114

Approximate Area 3.655 HA.

Registry Map Sheet No. 1 & 2

This is to certify that THATHI-INI DEVELOPMENT [illegible]
LIMITED, P.O. BOX 41686-80100, MOMBASA

is (are) now registered as the absolute proprietor(s) of the land comprised in the above-mentioned title, subject to the entries in the register relating to the land and to such of the overriding interests set out in section 28 of the Land Registration Act (No. 3 of 2012) as may for the time being subsist and affect the land.

GIVEN under my hand and the seal of the

MOMBASA District Land Registra

this 15th day of November

REPUBLIC OF KENYA

THE LAND REGISTRATION ACT

(*No.* 3 *of* 2012, *section* 108)

THE REGISTERED LAND ACT

(*Chapter* 300) (REPEALED)

This is the exhibit marked "A2"
Referred to in the annexed Declaration / Affidavit
Declarared / Sworn before me this 4th day
20 ... in the Republic of Kenya
Commissioner For Oaths

Title Deed

Title Number MOMBASA/MN/THATHINI BLOCK 4/115

Approximate Area 5.762 HA.

Registry Map Sheet No. 1 & 2

This is to certify that THATHI-INI DEVELOPMENT COMPANY LIMITED, P.O. BOX 41686-80100, MOMBASA = = =

MWA

MWANIKI GITAHI & PARTNERS

ADVOCATES & COMMISSIONER FOR OATHS

LAW

MWANIKI GITAHI
L.L.B. Hons (Moi) Dip. ATP (KSL)
MICHAEL MUCHEMI
L.L.B. Hons (Nbi) Dip. ATP (KSL)
KENNETH AMONDI
L.L.B. Hons (Moi) Dip. ATP (KSL)

7th Floor, NSSF Building
South Wing, Suite 704
Nkrumah Road.
P.O. Box 92933-80100, G.P.O Mombasa.
Tel: 041 2220037, 041 2220038
Fax: 041 2230207
Mob: 0721 818449

This is the exhibit marked: B
Referred to in the annexed Declaration Affidavit
Kennedy Wekesa
Declarared Sworn before me this 19th day of Sept 20 24 in the Republic of Kenya
Commissioner For Oaths

TO:
The OCS
Kiembeni Police Station

Dear Sir,

RE: THATHIINI DEVELOPMENT CO. LTD LAND

We act for THATHIINI DEVELOPMENT CO. LTD and SAHEEM LIMITED their appointed agent.

Kindly note Mr. Kennedy Wekesa of ID. No. 10719247 is the director of Saheem Limited duly authorized to sell our client's land. Attached please find copies of Title Deeds of the said land.

We request you to accord him the necessary assistance to implement the resolutions passed by the National Land Commission Arbitration Dispute Resolution (ADR) process regarding these parcels of land within your jurisdiction.

Yours Faithfully.

MWANIKI GITAHI-ESQ

MWANIKI GITAHI ADVOCATES

MWANIKI GITAHI
ADVOCATE
P. O. BOX 92933-80100
MOMBASA

CC
ACC Mwakirunge,

ACC Bamburi.

This is the exhibit marked "C"
Referred to in the annexed Declaration / Affidavit
Kenedy Elekesa
Declarared / Sworn before me this 10 day
Sept 2024 in the Republic of Kenya
Commissioner For Oaths



fghjkl

BUSINESS REGISTRATION SERVICE
P. O. BOX 30031
NAIROBI
4 JUL 2024

To
KELVIN MUGAMBI NTONJIRA
P.O. Box 9303
00200 - CITY SQUARE

THE COMPANIES ACT, 2015

Records relating to the below company held by the Companies Registry as at 4 Jul 2024

..

COMPANY	SAHEEM LIMITED
COMPANY NUMBER	CPR/2015/207642
NOMINAL SHARE CAPITAL	100,000.00
NUMBER AND TYPE OF SHARES (VALUE PER SHARE)	ORDINARY: 1000 (KES 100.00 EACH)
DATE OF REGISTRATION	17TH SEP, 2015
REGISTERED OFFICE	P.O BOX 4182 40200 TELEPHONE: 205193, EMAIL: 1000 SHARES OF KSH 100 EACH COUNTY: , DISTRICT: , LOCALITY: STREET: , BUILDING:
POSTAL ADDRESS	P.O BOX 4182 40200
ENCUMBRANCES	

Name of Directors and Shareholders of the above company with their particular are as follows

NAME	DESCRIPTION	ADDRESS	NATIONALITY	SHARES
F,G MUCHOMBA	SECRETARY		N/A	ORDINARY: 0
KENNEDY WANJALA WEKESA	DIRECTOR/SHAREHOLDER	P.O BOX 34223 MOMBASA G.P.O	KENYAN	ORDINARY: 1000
			TOTAL	1000

Yours Faithfully,
REGISTRAR OF COMPANIES

REF NO: OS-RRFYQVXL

DISCLAIMER: THIS IS A SYSTEM GENERATED CERTIFICATE AND DOES NOT REQUIRE A SIGNATURE

This is the exhibit marked "D"
Referred to in the annexed Declaration Affidavit
Kennedy Klekesa
Declarared Sworn before me this 1st day
Sept 20 24 in the Republic of Kenya
Commissioner For Oaths

REPUBLIC OF KENYA

IN THE MAGISTRATE COURT OF KENYA AT MOMBASA

COURT NAME: MOMBASA LAW COURT

CASE NUMBER: MCELC/E193/2024

CITATION: THATHIINI DEVELOPMENT COMPANY LIMITED AND SAHEEM LIMITED VS GANDINI SAUTI MOJA CBO

ORDERS(COURT DOCUMENT)

THIS MATTER coming up on 3.9.2024 for directions on the Notice of Motion dated 2.9.2024 before Honourable J. B. Kalo in the absence of the parties and upon considering the same; IT IS HEREBY ORDERED:

1. THAT the application is certified urgent

2. THAT pending the hearing of the application inter parties an order of temporary injunction is hereby issued against the defendants restraining them and their agents from, invasion, encroaching, blocking access, barricading roads, occupation, threatening potential buyers and or otherwise interfering with the Plaintiffs\\\' use and occupation of the property known as Mombasa/MN/Thathini/Block 4/114 and Mombasa/MN/Thathini/Block 4/115

3. THAT the application shall be heard inter parties on 17.9.2024 before Hon. Kalo. Plaintiff to serve the application and the order upon the defendant within two days from the date hereof

4. THAT the Officer in charge Kiembeni Police Station, OCPD Kisauni County Police Commander Mombasa and/or Regional Police Commander Coast ensure compliance with the orders.

GIVEN under my hand and seal of the Honourable court this 3rd day of September 2024.

Penal Notice: Take notice that any disobedience or non-observance of the order of the court served herewith will result in penal consequences to you and any other person(s) disobeying and not observing the same

SIGNED BY: HON. J.B KALO

THE JUDICIARY OF KENYA.

Doc IDENTITY: 327152815489457152258171995 24 Tracking Number: JJNA5U2024

KASHANI RESIDENTS,

C/O KASHANI PRIMARY SCHOOL,

P.O. BOX 41141 -80100,

MOMBASA.

DATE: 15th, July, 2024.

OUR REF; KR/ADM/HLI/04/07/2024

THE CHAIRMAN,

NATIONAL LAND COMMISSION,

316, UPPERHILL CHAMBERS,

2nd, NGONG AVENUE, OFF NGONG ROAD,

P.O BOX 44417-00100,

NAIROBI-KENYA.

Dear Sir/Madam,

RE: HISTORICAL LAND INJUSTICES CLAIM NO. NLC/HLI/828/2021.

The above captioned claim please refer,

It has come to our attention THAT we the residents of Kashani Parcel No. 360/11/MN who raised a dissenting voice first on the 19TH, March, 2024 during our oral submission to the taskforce at BANDARI followed by our letter REF NO. KR/ADM/HLI/03/03/2024 a copy attached herewith (EXB001) objecting to the defective proposed (ADR) Alternative dispute resolution as suggested by Gamaka Lands Committee (CBO) officials THAT you have not only appointed Mr. Bosire as a Mediator without our knowledge and involvement but gone further to approve the same non consultative ADR via your Letter dated the 15th, April, 2024 Ref. No. NLC/CC/MSA/VOL.111/90.

As we patiently await for your response/verdict to our Claim, learning that KASHANI plot 360 which distanced itself from Gamaka's dealings and withdrew its membership forthwith leaving Gamaka Lands cbo with only Plot No. 829 and 546 under their Management and control is still considered to be under Gamaka Lands control and mamagement is NOT only unjustified but injurious to the entire Kashani Community who hope to find justice from your goodselves.

On the 03rd, of July, 2024 in a meeting in the office of the DCC Kisauni, Mr. Edward Bosire went on record stating that the ongoing mediation process which had so far conducted several sittings including the one held on the 18th, April, 2024, and 03rd, May, 2024 had nothing to do with us the Residents of Kashani plot 360 hence our involvement and invitation to these sittings were not necessary contrary to the ADR approval letter which placed our plot under among the two parcels under GAMAKA Lands prompting them to undertake data collection and Survey processes. Our fundamental questions to your goodselves is, Wasn't it to the best interest of all parties to first get your verdict on our Historical Land injustice claim before allowing this ADR to proceed, appointing another entity SAHEEM to be in charge of a Survey on the same piece of Land we had raised an objection to? Didn't our request to have Kashani plot 360 be isolated and treated as a separate entity from Gamaka Lands meet your threshold as avalid and merited request?

Like we mentioned in our letter dated 04th, July, 2024 Ref. No. KR/ADM//HLI/01/07/2024 copied to the Regional Coordinator, Mr. Edward Bosire Copy attached herewith (EXB002) we can only assume that you erred in your letter which captured Kashani plot 360 as one of the plots under the ADR. However if you meant that Kashani plot 360 was incorporated under the suggested ADR, we wish to firmly remind your goodselves that We the Kashani Residents strongly believe unlike Gamaka lands cbo that THATHINI or their Associates or Agents or the 449 individuals purported to be holding titles as evidenced and substantiated in our petition before you are NOT the owners of our Lands the 917 Hectares inherited from our great grandparents. As such are strongly opposed to any ADR crafted to disinherit us. We still maintain that this commission should address itself to the grievances contained in our claim and fairly allow Kashani Residents have their lands adjudicated and registration process started for them to own their lands as they are i.e. Jembe kwa Jembe.

Yours Faithfully,

SIGNING ON BEHALF OF KASHANI RESIDENTS,

1. **SAMUEL KAHINDI BAYA ID. NO. 9206459. 0720894167.** .....
2. **DORIS DAMA KATANA.ID.NO. 11265331. 0726837626.** .....
3. **DAVID KITSAO NGUZO.ID.NO. 11762549. 0716896933.** .....
4. **CHOGO HARE RUWA. ID.NO. 11761306. 0723282637.** .....
5. **JOEL O. KEREMA. ID.NO. 1634762. 0722346729.** .....

CC:-

1. **Prof. Ngugi.**
   TASKFORCE CHAIR.
2. **The Legal Team**
   NLC NAIROBI.

EXB01

02 APRIL 2024

KASHANI RESIDENTS,
C/O KASHANI PRIMARY SCHOOL,
P.O. BOX 41141 -80100,
MOMBASA.

DATE: 27th, March, 2024.

OUR REF; KR/ADM/HLI/03/03/2024

THE CHAIRMAN,
NATIONAL LAND COMMISSION,
316, UPPERHILL CHAMBERS,
2nd, NGONG AVENUE, OFF NGONG ROAD,
P.O BOX 44417-00100,
NAIROBI-KENYA.

Dear Sir/Madam,

RE: EMMERGING CONFLICTS ON OUR HISTORICAL LAND INJUSTICES CLAIM NO. NLC/HLI/828/2021.

The above captioned claim refers,

We the residents of Kashani Parcel No. 360/II/MN which sits on 917 Acres of Land Located in Bamburi Location, Kisauni Sub-County, Mombasa County wish to express and categorical state our objections to Gamaka Lands committee plea and suggestion to go into a negotiating table with THATHINI before the National Lands Commission delivers its ruling/Verdict on the claim before them i.e. Kashani Parcel 360.

1. That the decisions/stand or opinions taken by GAMAKA the umbrella CBO earlier mandated to fight for the interests of the KASHANI people on matters Historical Land injustices currently before the National Lands Commission taskforce **IS NOT** the common decision/stand or opinion shared/taken by the people of Kashani. We the Kashani people have noted with lots of regrets that the leadership of GAMAKA has entered into a secretive non consultive Agreement between GAMAKA and THATHINI to have the GAMAKA lands three parcels i.e. Gandini,

Maunguja and Kashani be sub divided as per each person's area of occupancy contrary to our initial agreement as evidenced by their plea on their Historical injustice claim form a *copy attached herewith.* (ANNX001) We therefore distance ourselves from the position taken by the said GAMAKA.

2. Gamaka Land Committee leadership have failed to uphold the provisions of Article 10 of the constitution which provides for public participation on a matter affecting the lives of Kenyans. We the Residents of Kashani have NOT been consulted, involved or advised on the ongoing discussions Chaired by our Mombasa Senator, Hon Mohammed Faki touching on our parcel LR 360/11/MN. The Hon. Senator noticing a conflict between Gamaka the Kashani residents officials convened a reconciliatory meeting to bring us together which never happened since Gamaka Officials failed to honour the invitation without apologies or rescheduling. We strongly believe Gamaka Lands Committee officials DO NOT REPRESENT the interest of KASHANI RESIDENTS no meeting nor barazas have been called to share their decision on sitting on a negotiating table with THATHINI which to us as Kashani residents amount to acknowledging the position that THATHINI are the owners of our lands HISTORICALLY and preempting the outcome of our claim by NLC. We the Kashani Residents have spoken in a meeting held on Sunday 24th, March, 2024 and Thursday the 28th, March,2024 as per the *attendance list attached herewith* (ANNX 002) that WE are not part of their Waitiki settlement way.
3. The Gamaka Lands Committee officials have proved insincere, double speak and unreliable, we can't trust them spearheading this process on our behalf and as such wish to distance ourselves from any of their plans/decisions taken without giving the National Lands Commission taskforce a chance to fairly deliberate and give us a verdict upon our Land Historical injustice claim currently before them. We are NOT for the WAITIKI LIKONI way of Settlement as pleaded by both Gamaka lands committee officials under oath during their oral submission on the 20th, and 21st, March, 2024 before the taskforce. The famous Marimani Declaration/Memorundum Prayers made on 20th, May 2016 (page 2 Prayer No. 1)by the same Gamaka officials on our behalf states in part and I quote "these parcels of Land 546,829,360 be demarcated and located to the local residents Jembe kwa Jembe" *a copy attached herewith".*(ANXX 003) On 22nd, September, 2021 when THATHINI called us to a meeting to give us their proposal to sell to us a 50X100 Ft plot at Kshs. **500,000/=** the same

officials wrote to National Lands Committee as GAMAKA a letter dated 23rd, Sept, 2021*a copy attached* (ANNX 004) condemning the intrusion and asking the Government through NLC to give back these lands to the residents. We the residents of Kashani equally did a letter to the Regional Commissioner dated 24th, Sept, 2021 stating the same position *a copy attached herewith*. When did this position change? Where is the proof showing that the residents were consulted and consented to any change?

4. Gamaka Lands Committee officials will NOT have done justice to the people of Kashani by enter into an agreement with Thathini Development Company or its agents to accept only a handful of Families (34 Families) perceived to be loyal to them to be awarded free ownership in the expense of the larger Kashani residents, whilst back in 2015 Thathini Development Company offered the residents 1000 Acres out of the Total 4320 Acres as evidenced by NLC's the then Chairman Swazuri's *Copy attached* yet Gamaka Lands refused the offer. What is NOW the rational of accepting only 34 free plots which when put together may NOT add up to even 100Acres? For this reason we kindly request without any prejudice to the commission put to consider putting a restriction order to Thathini Development Company NOT to continue with any dealings on this piece of Land until our claim is fully heard and a verdict is delivered by the commission.

It is our contention that the allocation of the said piece of land was done unfairly owing to the fact that there were indigenous people living thereon at the time who needed to have been considered. We therefore are clearly stating that we cannot sanitize the injustices visited upon the residents of Kashani by taking the route taken in Waitiki-Likoni Settlement. We maintain that this commission should only address itself to the grievances contained in our claim and if possible pay a visit to the said piece of land to see for its selves what we have constantly pointed out.

Yours Faithfully,

SIGNING ON BEHALF OF KASHANI RESIDENTS.

1. **SAMUEL KAHINDI BAYA 0720894167** .....
2. **DORIS DAMA KATANA. 0726837626** .....
3. **DAVID NGUZO. 0716896933** .....
4. **CHOGO HARE RUWA 0723282637** .....
5. **JOEL O. KERAMA 0722346729** .....

EB02

KASHANI RESIDENTS,

C/O KASHANI PRIMARY SCHOOL,

P.O. BOX 41141 -80100,

MOMBASA.

DATE: 04th, July, 2024.

COUNTY COMMISSIONER MOMBASA 4/7/24

OUR REF: KR/ADM/HLI/01/07/2024

TO,

THE DEPUTY COUNTY COMMISSIONER,

KISAUNI SUB-COUNTY,

MOMBASA COUNTY.

NATIONAL LAND COMMISSION COORDINATOR-MOMBASA 04 JUL 2024 RECEIVED P.O. BOX 10241-80101 MOMBASA

RE: HISTORICAL LAND INJUSTICES CLAIM NO. NLC/HLI/828/2021.

Following the meeting held in your good office yesterday the 03rd, July, 2024 between yourself and Kashani Residents Officials.

We the residents of Kashani Parcel No. 360/11/MN do hereby kindly but urgently request for a trilateral meeting between yourself, the National Lands Commission Regional Coordinator Mr. (Edward Bosire) and ourselves as the representatives of the Kashani Residents. This is to shade light on the mediation process currently undertaken by the national lands Commission Chaired by our Regional Coordinator without our involvement.

It is on record that the people of Kashani plot 360/11/MN clearly and loudly recorded their dissenting voices on the 21st, March, 2024 before the National lands Commission Taskforce on the proposed deceptive and Secretive Alternative Dispute Resolution (ADR) proposed by the leaders of GAMAKA LANDS COMMITTE CBO officials with THATHINI and associates.

This was equally followed by our protest Letter to the National Lands Commission Chairman Referenced KR/ADM/HLI/03/03/2024 Dated 27th, March, 2024 and received on the 2nd, April, 2024 a (copy herein attached) where Kashani residents withdrew their membership and association with GAMAKA LANDS COMMITTEE CBO dealings and further distanced themselves from the imposed (ADR) by the same body. This position was later confirmed on the 18th, May, 2024 when the residents held a BARAZA inviting the Area MCA Bamburi Ward Hon. Patrick Mbelle and the Area Member of Parliament Kisauni Constituency Hon. Rashid Bedzimba in the presence of GAMAKA LANDS officials led by their Chairman Mr. Gabriel Tella where over 500 residents openly and categorically expressed their lack of confidence and hence denouncing their association/dealings with GAMAKA lands Committee including the ADR as evidenced in a video clip and the attendants list.

It saddens the residents of Kashani plot No. 360 to learn with a heavy heart that as we patiently await the NLC to give us a verdict on our petition, a mediation process has been put in place to proceed on with the proposed ADR against their knowledge and involvement. We want to strongly assume that this position taken by NLC at this level to adopt an ADR as proposed by Gamaka and associates only applies to the Other Two parcels of lands that have NOT denounced their membership and involvement with GAMAKA lands Committee cbo i.e. Gandini and Maunguja since Kashani 360/11/MSA residents still hold the view that the 917 Acres covering the entire Kashani is their ancestral Lands and is not for grabs or sale.

Through this letter we would wish to remind National Lands Commission to relook keenly into this proposed ADR by GAMAKA LANDS on its full ramifications.

Yours Faithfully,

KASHANI RESIDENTS,

CHAIRMAN

CORNELIUS KATANA (0713654712)

SECRETARY.

DAVID NGUZO. (0716896933)

CC: -

1. The Regional Coordinator,
   National Lands Commission,
   Mr. Edward Bosire.
2. The Member of Parliament,
   Kisauni Constituency,
   KISAUNI - SUB COUNTY.
3. The Member Of County Assembly,
   Bamburi Ward,
   BAMBURI.
4. County Commissioner,
   Mombasa County,
   MOMBASA.
5. Director Land Administration,
   Ministry of Lands,
   MOMBASA OFFICE.
6. Secretary,
   County Land Management Board,
   MOMBASA.

NGO
RESIDENTS LAND PROTECTION ORGANIZATION OF KENYA - NGO
Tel: 020 2061029 Cell Phone: 0734 536611 or 0712 127345
Email: residentslandprokenya@gmail.com

01-08-2024

OUR REF:-RLPO/K/ DJMN/NC/0/2024
THE CHAIRMAN PERSON
OF THE COMMISSION ON ADMINISTRATIVE JUSTICE
OFFICE OF THE ABBDULSWAMAN
P.O BOX 20414-00200
NAIROBI

Dear Sir/Madam,

URGENT MATTER

RE: ADVERSE PROSSESSORS COMPLAIN OF THEIR LAND TRANSFERRE TO GEMA COMMUNITY ON 23RD APRIL 2016 BY THE FORMER NATIONAL LAND COMMISSION CHAIRMAN DR. MUHAMMAD.A.SWAZURI .

IN THE MATTER OF:-PARCEL NO. 360 /11/MN.

IN THE MATTER OF: - RESIDENTS HISTORY SINCE THE YEAR 1901.

I take this opportunity once again to report to your honoured office Complainant grouse that referred to me on Monday 29th July 2024,they say that Contradiction between residents who are recognized by our Kenya Government Laws being ADVERSE POSSESSOR having resided many years in the land.Since time immemorial 1901. I refered the same complain to the former National Land Commission Dr. Mohammad A.Swazuri on May 20th, 2016 ref, RLPO/K/ DJMN/NC/0/2016

In the year 20th May 2016 I wrote to the former Chairman National Land Commissioner Dr. Mohammed Swazuri after he came at MOMBASA April 2016 and told residents that he was going to give Locals 1000 acres of land and give 3320 acres of land to Gema Community his pronunciation did astonished residents bearing in mind that land is occupied with over thousands family members. The time the land was transferred 23rd April 2016 to Gema Community now Thathing they were not in the Land. The land is full developed by the residents, primary and secondary school, Churches, Mosques and other development.

Resident started residing in the land KASHANI the year from 1901's till to date Kashan plot 360 has over thousands people who are living legality. Now as per our Kenya Country Laws stipulated in THE LIMITATION OF ACTION ACT CAP 22 LAWS OF KENYA which is very clear and self-explanation. Section 7, 17 & 38 also the same has been stipulated by The Kenya High Court of Appeal

kindly refer copy of The Limitation of Actions Acts CAP 22 Laws of Kenya attached for the easy of reference.

Section 7 provides – that an action may not be bought by any person to recover Land after the end of twelve years from the date on which the right of action accrued to him or if it is first accrued to some person through whom he claims, to that person, Cast elders who lost life because of seeking ranson like the Late Ronald Ngala Karisa Maitha who stood firm Protecting Coast Region Land were unfortunately died before recovering Lands grabbed the issue marked Coast people being called squatters. No one is a squatter in his own born land who lived forover 12 years.

THE ISSUING OF TITLE DEEDS TO INDIVIDUAL

The Kenya Government Ministry of Lands never instituted Land education program to educate Locals how to define Kenya Lands and how to get their land Titles and there has never been Public Participation on land issue since Ministry of Agriculture do educate locals how to prepare their lands, Ministry of Health do educate locals how to care for their family, veterinary also but not with the Ministry of land why? Till today we ask that question, no answer we get from the Government. This is what is causing Land grabbing corruption in the country.

A SECRET MEETINGS BEING DONE BY THATTHIN INVESTMENT AND FEW MEMBERS OF THE COMMUNITY OIN THE OFFICE MOMBASA IS OF DOUBT

Residents complain that few members of Community have been sharing meeting with Thathin member without the knowledge of al; other members the issue now causing enmity in the area of Kashani, others say there is enemy between Thathin members and few members of the community, the issue that has made Kashani residents to seet redress.

THE LAND KASHANI PLOT 360 SECTION 2 MIN. WAS TRANSFAREED ON 12/7/1979 TO THATTHIN DEVELOPMENT COMPANY P.O BOX 83261 MOMBASA AS LEASE HOLD, ON 30TH DECEMBER 1985 THE LAND WAS TRANSFERRED AS FREE HOLD WITHOUT RESIDENTS KNOWLEDGE.

I am asking The Directors of Thathing Development Company during the period of transferring the said portion of the land did the land control Board issued Letter of consent and if yes what special condition of approval of transfer given? The Land has people in who lived since time immemorial before Kenya got independence 1963. Land Control Board was there since 1968 no land could have be transferred without the approved of the board. I have attached herewith a copy of the Land Control Regulations for the easy of reference. Whatever it has done by the Ministry of Land with Thathin members is done without following the process of the Laws here they are dealing with residents who are fully covered by the Laws The Limitations of Action Acts CAP 22 Laws of Kenya Section 7, 17 & 38. They are Adverse Possessors stayed in a piece of

Land uninterrupted since they started residing in the land 1901 the land they inherited from their fore fathers.

THATHIN members Claims to have taken Adverse Possession on the paper on the land they are Adverse Possessors who are now lawfully owners of the lands. And there is no way they can be removed by anyone claiming adverse possession even Titles being held by Thathin members for the land in question they have been challanged by Adverse Possessors Laws. Thathin have no Land at Kashani and if there is any one of Thathin member occupied the said land then is against the Limitation of Action Acts CAP 22 Laws of Kenya Land and not only the Title Deeds they are holdings since they are issued after (12) years, they have not occupied the plots then those title have expired refer the Limitation of Action Cap 22 Laws of Kenya Section 17.

I have attached herewith copy of The Limitation of Action Acts CAP 22Laws of Kenya for reference. Also attached here is copy of Land Control Regulation 1968 kindly refer.

Also copy of STATEMENT OF SITUATION please refer whatever is being done by Thathin Development members. It is against the Law as stipulated here above.

The Ministry of Lands and National Land commission to cancelled all Titles being held by Thathin members of the land Kashani PLOT, NOS, 360, /11/MN and instead Title Deed to be issued to residents who are in the Land and recognized by the Law being Adverse possessors who have resided in the land since time immemorial 1901 and have the right to retain their Land No. 360/11/MN. We follow that the Kenya Laws says.

Please kindly intervene and refer the Kenya Country Laws Stipulations as started in the attached Copy of The Limitation of Action Acts CAP 22 Laws of Kenya.

We remain to hearing from you soon.

God Bless you and the work of your hands forever.

Yours Faithfully

Residents Land Protection Org. of Kenya

Dwelly J.M.Nyambu S.E.H.S (D) UK

National Chairman and founder.

C.C

1. The Ministry Lands, Housing and Urban Development
   P.O BOX 30450-00100
   Nairobi

2. The Chairperson
   National Land Commission
   P.O BOX 44417-00100
   Nairobi.

3. The National Land Commission Office
   Mombasa branch
   C/O P.O BOX 90424
   Mombasa.

4. The Chief Land Registrar Nairobi
   P.O BOX 30450-00100
   Mombasa

5. The Principal Land Registrar
   P.O BOX 80053
   Mombasa.

6. The Regional Commissioner Coast Region
   P.O Box 90424
   Mombasa

7. The Regional Commander Coast Region
   P.O Box 90114
   Mombasa

8. The O.C.S Kiembeni Police Station
   C/O P.O BOX 90114
   Mombasa

9. The Office of the President State House
   P.O Box 40530-00100
   Nairobi.

10. The Commission Administration Justice
    (Office of the Abdulswaman)
    Mombasa.

11. The Parliamentary Service Commission
P.O BOX 41842-00100
Nairobi.

12. The National Council for Law Reporting
P.O Box 30420
Nairobi.

13. The Director Medial Council of Kenya
P.O Box 43132-00100
Nairobi.

14. The Director Thathini Development Co.Ltd.
P.O Box 83261
Mombasa.

15. The Chairperson Ethics Anti-Corruption Commission (EACC)
P.O Box 61130-00200
Nairobi.

16. The Chairperson
Kenya National Commission on Human Rights (KNCHR)
P.O BOX 74359 -00200
Nairobi

17. The C.I.D Office Head quarter
C/O P.O Box 90114 Mombasa

18. The County Commissioner
Kisauni Sub-County of Mombasa County Government.
P.O Box 28
Kengeleni.

19. The Deputy County Commissioner
Kiembeni Office
C/O P.O Box 28
Kengeleni.

20. The Senior Chief –Jeremiah Tsuma Machache
Bamburi Location
C/O P.O Box 28
Kengeleni.

21. The Assistant Chief Madam Rehema
    Kashani Box 28
    Kengeleni

22. The Assistant Chief Mr .Hakika Jacob
    Majaoni Sub-Location
    P.O Box 28
    Kengeleni.

23. The Senior Area Village Elder
    Kashani Mr.John Pondera Munga
    P.O Box 28
    Kengeleni.

24. The Area M.P Hon. Rashid Bed Dzimba
    P.O Box 81599-80100
    Mombasa.

25. The Area M.C.A Hon.Patrick Mbele
    C/O P.O Box 81599-80100
    Mombasa.

26. The Senator Hon. Mohamed Faki
    Mombasa County Government
    P.O Box 81599-80100
    Mombasa

27. Complainants.

GANDINI SAUTI MOJA COMMUNITY

KISAUNI, MOMBASA.

DATE: 18 AUGUST, 2024

TO:

MR. GABRIEL TELLA

FORMER CHAIRMAN

DISSLOVED GAMAKA COMMITTEE

GANDINI –MWAKIRUNGE

MOMBASA COUNTY

TO:

MR. ZERO MWANGEKI

FORMER MEMBER

DISSOLVED GAMMAKA COMMITEE

GANDINI-MWAKIRUNGE

MOMBASA COUNTY

TO:

MRS. LUCY SADA

FORMER MEMBER

DISSOLVED GAMMAKA COMMITEE

GANDINI-MWAKIRUNGE

MOMBASA COUNTY

TO:

MR.JUSTUS KOMBO

FORMER MEMBER

DISSOLVED GAMMAKA COMMITEE

GANDINI-MWAKIRUNGE

MOMBASA COUNTY

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GANDINI SAUTI MOJA COMMUNITY

KISAUNI, MOMBASA.

DATE: 18 AUGUST 2024

TO:

MR. GABRIEL TELLA

FORMER CHAIRMAN

DISSOLVED GAMAKA COMMITTEE

GANDINI –MWAKIRUNGE

MOMBASA COUNTY

TO:

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DISSOLVED GAMMAKA COMMITEE

GANDINI-MWAKIRUNGE

MOMBASA COUNTY

TO:

MRS. LUCY SADA

FORMER MEMBER

DISSOLVED GAMMAKA COMMITEE

GANDINI-MWAKIRUNGE

MOMBASA COUNTY

TO:

MR.JUSTUS KOMBO

FORMER MEMBER

DISSOLVED GAMMAKA COMMITEE

GANDINI-MWAKIRUNGE

MOMBASA COUNTY

TO:

MR.MWACHIBUA MURIRA

FORMER MEMBER

DISSOLVED GAMMAKA COMMITEE

GANDINI-MWAKIRUNGE

MOMBASA COUNTY

TO:

MR.NICHOLAS KATANA

FORMER MEMBER

DISSOLVED GAMMAKA COMMITEE

GANDINI-MWAKIRUNGE

MOMBASA COUNTY

Dear Sir/ Madam,

RE: DISSOLUTION OF GAMAKA CBO AND TERMINATION OF SERVICES OF ALL GAMAKA COMMITTEE MEMBERS

I hope you are all fine. On behalf of Gandini Sauti Moja residents, I wish to bring to your attention that GAMAKA CBO was dissolved. This was a unanimous resolution made by over two thirds of all Gandini residents in a general meeting held on sun the 21st July 2024 at 5pm.

Following or in line with the dissolution of the GAMAKA CBO, which we formed ourselves in the year 2017, all your services as GAMAKA committee members have already been terminated. You are therefore not supposed to impose yourself and represent a GAMAKA CBO which does not exist as you have been doing.

Some of the reasons which made Gandini residents to come up with this decision are as follows:

1. The former GAMAKA committee, of which you were a member, failed in organizing annual general meetings as per article 10 section3 of our constitution. This would have helped us to analyze the general performance of our CBO on a yearly basis.
2. The committee failed to organize emergency meetings to notify the members of any urgent matter concerning them.eg the issue of demarcation of 20ha to be given to a one known as Kennedy Wekesa., a sale of a portion of Our Gandini land,(2acres) to Kennedy Wekesa and the very GAMAMAKA officials signing the fake agreement letter as witnesses.
3. Being illegally in office and illegally transacting on behalf of GAMAKA residents, against GAMAKA CBO constitution. As per the GAMAKA CBO constitution (article13 clause i, ii and iii), the committee members are supposed to serve for a period of three years after which they MUST convene an annual general meeting for an election. They never called for such

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FROM:

MR.N.WACHIRA MURIRA

FORMER MEMBER

DISSOLVED GAMMAKA COMMITTEE

GANDINI MWAKIRUNGE

MOMBASA COUNTY

TO

MR. NICHOLAS KATANA

FORMER MEMBER

DISSOLVED GAMMAKA COMMITTEE

GANDINI MWAKIRUNGE

MOMBASA COUNTY

Dear Sir/ Madam,

RE: DISSOLUTION OF GAMAKA CBO AND TERMINATION OF SERVICES OF ALL GAMAKA COMMITTEE MEMBERS

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2. The committee failed to organize emergency meetings to notify the members of any urgent matter concerning them.eg the issue of demarcation of 20ha to be given to a one known as Kennedy Wekesa., a sale of a portion of Our Gandini land,(2acres) to Kennedy Wekesa and the very GAMAMAKA officials signing the fake agreement letter as witnesses.
3. Being illegally in office and illegally transacting on behalf of GAMAKA residents, against GAMAKA CBO constitution. As per the GAMAKA CBO constitution (article13 clause i, ii and iii), the committee members are supposed to serve for a period of three years after which they MUST convene an annual general meeting for an election. They never called for such

meeting in the year 2020 and the year 2023. They just continued to hold office unelected and making secret dirty deals with THATHINI and others.

4. The GAMAKA committee started collaborating with THATHINI and THATHINI agents to make resolutions, sales agreements, etc in favor of THATHINI Company, without any legal advice or consulting/notifying GAMAKA residents.

In view of the above reasons besides others, you are therefore:

1. NOLONGER recognized as a committee member or an official of GAMAKA CBO (now dissolved),

2. NOT an official or representative of Gandini Sauti Moja residents,

3. NOT SUPPOSED to make any transaction on behalf of Gandini Sauti Moja residents,(NB: any transaction made by you on behalf of Gandini residents shall be considered illegal and subject to your prosecution).

4. In addition to you being terminated from the dissolved GAMAKA committee, the Gandini residents have also REJECTED and TERMINATED ALL the services of the following WAZEE/MAMA MTAA in Gandini area:

Mr.Justus Kombo- Nguutatu east

Mrs.Lucy Sada- Zanikeni

Mr. Zero Mwangeki- Gandini

Mr. Mwachibua Murira

Mr. Nicholas Katana

NOTE: You must not make any transaction as a MZEE WA MTAA or MAMA MTAA in Gandini area-the Gandini residents have no faith in you any more, due to your betrayal activities.

On behalf of Gandini Sauti Moja residents,yours faithfully,

MR.PETER TARAZA NDUNE-CHAIRMAN..... 0706684461

MISS NANCY GOE-TREASURER..... 0724461[illegible]

MR.SIMON PETER-SECRETARY..... 0729[illegible]

REV.DAVID CHIFALU-MEMBER.....

MR.SAIDI MGALA-MEMBER..... 0781013720

MR.USTADH HUSSEIN ALI –MEMBER..... 0720622011

GANDINI SAUTI MOJA COMMUNITY
Sign:
Date: 466639

CC:

AREA CHIEF

MWAKIRUNGE LOCATION

CC:

Scanned with CamScanner

On behalf of Gandini Sauti Moja residents,yours faithfully

MR.PETER TARAZA NDUNE-CHAIRMAN.....

MISS NANCY GOE-TREASURER.....

MR.SIMON KEFA SECRETARY.....

REV.DAVID CHIFALU-MEMBER.....

MR.SAIDI MGALA-MEMBER.....

MR.USTADH HUSSEIN ALI -MEMBER.....

CC

ARFA CHIEF

MWAKIRUNGE LOCATION

CC

KASHANI 360 RESIDENTS CBO

P.O BOX 41141 – 80100,

Mobile No. +254713654712/+254786966860,

Email: kashani360residents@gmail.com,

KISAUNI - MOMBASA.

27/09/2024

RECEIVED.

MEMBER OF THE COUNTY ASSEMBLY
P.O. Box 90411 - 80100
Date: 8/10/24
Sign:
BAMBURI WARD

OUR REF; KR/ADM/L/05/09/2024

THE DEPARTMENT OF SOCIAL DEV.,

KISAUNI SUB-COUNTY,

P.O. BOX 156 – 80122,

KENGELENI,

MOMBASA COUNTY.

Received 8/10/2024

Received
8/10/2024

RE: WITHDRAWAL FROM GAMAKA LANDS COMMITTEE CBO.

Following the Baraza/meeting held at Kashani Primary School Grounds on the 18th, May, 2024 well attended by the over Six Hundred (600) residents and presided over by our Member of Parliament Kisauni Constituency Hon. Rashid Bedzimba together with the Area Member of County Assembly Hon. Patrick Mbelle where it was unanimously agreed with a majority vote that ALL Kashani Residents residing within the Larger Kashani 360/11/MN No longer prescribe to the ethic, ideals, conduct and dealings with GAMAKA lands CBO henceforth wish to withdraw their membership with immediate effect.

We the residents of Kashani Parcel No. 360/11/MN do hereby kindly but urgently request to be struck off from Gamaka Lands Committee CBO Membership and the CBO is equally notified by a copy of this letter not to indulge/engage itself further with any Land Matters touching on the said parcel from now henceforth. Among the many reasons why the people of Kashani wish to withdraw their membership here are a few;

1. Lack of Financial Transparency by the CBO officials, since inception (2019) No Books of accounts kept or Auditors appointed to Audit the finances of the CBO despite huge funding and contributions from members contrary to GAMAKA LANDS COMM constitution and the Reg. Act CAP 108A.
2. The Leadership of the CBO have refused to hold AGM Meetings as per the Constitutions requirements leading to only a few officials making drastic decisions on behalf of the larger members.
3. GAMAKA land Committee CBO officials have equally refused to hold ELECTONS since inception (2019) NO official election has ever been conducted leaving the Same Chairman and his team remain in office for over Five (5) years.
4. The CBO leadership has lately entered into agreements with entities like THATHI-INI DEVELOPMENT COMPANY LTD without any consultations with its members within all parcels. Failed to hold public participation on matters affecting members.

P.T.O

5. The Gamaka Lands officials have been involved with lots of falsification of documents doctoring list of people purporting to be members supporting a non- consultive (ADR).
6. The Leadership of Gamaka Lands Committee contrary to the provisions of the Reg. Act Chapter 108A has failed to file reports to the Social Serv. Dept. such as, Groups Activities, Financial affairs, Members List choosing to operate like a briefcase CBO.
7. The Multiple Chairmanship of More than Three (3) CBO's Kangumbo, Gamaka Farmers, Gamaka Lands etc by Mr Gabriel Tella. Within the same Jurisdiction, with similar Aims and objectives has led to conflict of interest and poor performance.

Clearly the Kashani Residents do not feel safe or well represented by such an outfit and as such have willingly chosen to seek alternative representation elsewhere and more specifically by KASHANI 360 RESIDENTS CBO. We the people of KASHANI 360/11/MN who recorded their dissenting voices before the National Lands Commission taskforce sitting at Bandari on their Historical Land injustice claim No. **NLC/HLI/828/2021** have no business being led by such unlawful CBO hence reiterate our withdrawal position.

Yours Faithfully,

KASHANI 360 RESIDENTS CBO,

CHAIRMAN

CORNELIUS KATANA.

SECRETARY.

DAVID NGUZO.

CC: -

1. The Regional Coordinator,
   National Lands Commission,
   MOMBASA COUNTY.

2. The Member of Parliament,
   Kisauni Constituency,
   KISAUNI - SUB COUNTY.

3. The Member Of County Assembly,
   Bamburi Ward,
   BAMBURI.

4. The Deputy County Commissioner,
   Kisauni Sub-County,
   MOMBASA COUNTY.

5. Area Chief,
   Bamburi Location,
   BAMBURI DIVISION.

6. The Chairman,
   GAMAKA Lands Committee,
   MOMBASA.

COUNTY GOVERNMENT OF MOMBASA
Chief Of Staff

Ref: MsaCG/Land/1/Vol.X/85 **Date:** 9th May, 2023

Hon. Patrick Mbele
Member of the County Assembly,
Bamburi Ward,
MOMBASA COUNTY

Dear Mheshimiwa.

RE: DISCUSSION ON OWNERSHIP ON GAMAKA LAND WITH KASHANI ELDERS

Receive greetings from the office of H.E the Governor.

The above matter refers.

You are hereby invited for a meeting on **Thursday 11th May, 2023** at **2:00pm** at the Governor's Office, Elimu Mazingira Building regarding the above mentioned issue.

I look forward to a fruitful engagement.

The County Government of Mombasa wishes to take this opportunity to renew to yourselves assurances of our highest consideration.

Yours faithfully,

COUNTY GOVERNMENT OF MOMBASA
OFFICE OF THE GOVERNOR
P.O. BOX 90440 - 80100, MOMBASA

Dr. Noah Akala, MBS
MOMBASA COUNTY

CC: County Secretary

REPUBLIC OF KENYA
IN THE CHIEF MAGISTRATE'S COURT AT MOMBASA
ENVIRONMENT & LAND CASE NO OF 2024

THATHINI DEVELOPMENT COMPANY LIMITED....1ST PLAINTIFF/APPLICANT

SAHEEM LIMITED.....2ND PLAINTIFF/APPLICANT

=VERSUS=

GANDINI SAUTI MOJA COMMUNITY.....1ST DEFENDANT/RESPONDENT

KASHANI RESIDENTS.....2ND DEFENDANT/RESPONDENT

GAMAKA COMMUNITY BASED
ORGANIZATION.....3RD DEFENDANT/RESPONDENT

PETER TARAZA NDUNE.....4TH DEFENDANT/RESPONDENT

NANCY GOE.....5TH DEFENDANT/RESPONDENT

SIMON PETER.....6TH DEFENDANT/RESPONDENT

DAVID CHIFALU.....7TH DEFENDANT/RESPONDENT

SAIDI MGALA.....8TH DEFENDANT/RESPONDENT

USTADH HUSSEIN ALI.....9TH DEFENDANT/RESPONDENT

CORNELIUS KATANA.....10TH DEFENDANT/RESPONDENT

DAVID NGUNZO.....11TH DEFENDANT/RESPONDENT

DAMARIS KATANA.....12TH DEFENDANT/RESPONDENT

STEPHEN RUNYA.....13TH DEFENDANT/RESPONDENT

CERTIFICATE OF URGENCY

I, ONYARI NYAMEINO of P.O Box 42072-80100 Mombasa, an advocate of the High court of Kenya do hereby certify this application urgent and the same ought to be placed before the Honourable duty court at the first instance and be heard on priority basis for the reason;

MINUTES OF THE EIGHTY SECOND (82ND) SITTING OF THE STANDING COMMITTEE ON LAND, ENVIRONMENT AND NATURAL RESOURCES HELD AT FOUR POINTS BY SHERATON, MACHAKOS COUNTY ON MONDAY, 22ND SEPTEMBER, 2025 AT 2:00 PM

PRESENT

1. Sen. Mohamed Mwinyihaji Faki, CBS, MP - **Chairperson**
2. Sen. Johnes Mwashushe Mwaruma, MP - Member
3. Sen. James Murango, MP - Member
4. Sen. Joe Nyutu, MP - Member
5. Sen. Mariam Sheikh Omar, MP - Member

ABSENT WITH APOLOGIES

1. Sen. Karen Nyamu, MP - **Vice Chairperson**
2. Sen. Beatrice Akinyi Ogola, MP - Member
3. Sen. Abdul Haji, MP - Member
4. Sen. Allan Chesang, CBS, MP - Member

IN ATTENDANCE	**SECRETARIAT**
1. Mr. Victor Bett	- Clerk Assistant I
2. Ms. Ivy Nyambura	- Clerk Assistant III
3. Mr. Andrew Nyairo	- Legal Counsel II
4. Mr. John Gichia	–Research Officer III
5. Ms. Keziah Muthama	–Fiscal Analyst III
6. Mr. Simon Muinde	- Audio Officer
7. Mr. Boniface Mbithi	-Serjeant at Arms

MINUTE SEN/LENR/443/2025: PRELIMINARIES

The Chairperson called the meeting to order at 10.14 am followed by a word of prayer.

MINUTE SEN/LENR/444/2025: CONSIDERATION OF COMMITTEE DRAFT PETITION REPORTS

The Chairperson began by informing the meeting that eleven (11) draft reports in total to be considered that had been scheduled for discussion. The Secretariat then proceeded to take the Members through the reports highlighting the Petition backgrounds, engagements with various stakeholders, investigations and county visits conducted as well as the key observations and recommendations.

In the course of deliberations, the Committee examined the draft reports presented and took note of the recommendations advanced by individual Members and resolved that the necessary amendments and refinements be incorporated into the drafts.

Upon conclusion of the discussions and having satisfied itself that the reports adequately captured the issues raised in the petitions and the Committee's determinations thereon, the Committee unanimously resolved to adopt a total of eight (8) Petition Reports as amended with the three (3) remaining Petitions requiring further stakeholder engagements.

The Secretariat was accordingly directed to effect the agreed amendments and prepare the final versions of the approved and adopted reports for tabling before the Senate.

The following reports were approved and adopted with amendments as follows-

i. **Petition by the Residents of Changara in Busia County concerning delays in implementation and completion of the Changara Water Pan World Bank funded project;**
ii. **Petition on historical injustices and illegal alienation of L.R. No. 7153/1, 7153/2, 7153/R, also known as L.R. 12825 in Kiambu County;**
iii. **Petition by Nyandarua IDPs on delayed compensation and occupation of parcels of land;**
iv. **Petition regarding the plight of the landless in Muthanthara, Embu County;**
v. **Petition by Marungu residents within Mghange Mwanda Ward, Taita Taveta County on the alleged threatened eviction from their ancestral land by Mghange Catholic Parish;**
vi. **Petition on ownership dispute over Mwananchi Settlement Scheme in Mwatate Constituency in Taita-Taveta County;**
vii. **Petition concerning recognition of land ownership rights and redress of Historical Injustices in Mombasa County; and**
viii. **Petition by the Mwabundusi land squatters on delayed allocation of land by way of resettlement or compensation for their ancestral land.**

The following reports were deemed unsatisfactory and thus need further engagements with various stakeholders to be completed-

i. **Petition regarding eviction of Korogocho Community living in the Nairobi River Corridor after its declaration as a special planning area, Nairobi County;**
ii. **Petition to the Senate concerning land injustices against the Olderkesi Community Members in Narok West Constituency, Narok County concern; and**
iii. **Petition by CECARE on behalf of Pumwani residents, concerning the conversion of the LR NO. 209/ 2378/1 Pumwani Majengo from public to private land.**

MINUTE SEN/LENR/445/2025 ANY OTHER BUSINESS

There was no other business discussed.

MINUTE SEN/LENR/446/2025 ADJOURNMENT AND DATE OF NEXT MEETING

The meeting was adjourned at 6.34 pm. The date of the next meeting was to be called on notice.

SIGNED..... **DATE**..20/9/2025

SEN. MOHAMED MWINYIHAJI FAKI, CBS, MP

CHAIRPERSON

STANDING COMMITTEE ON LAND, ENVIRONMENT AND NATURAL RESOURCES.

MINUTES OF THE FORTY SIXTH SITTING OF THE STANDING COMMITTEE ON LAND, ENVIRONMENT AND NATURAL RESOURCES HELD ON FRIDAY, 5TH APRIL, 2025 IN THE AUDITORIUM, KENYA SCHOOL OF GOVERNMENT, MOMBASA COUNTY AT 2:00 PM

PRESENT

1. Sen. Mohamed Mwinyihaji Faki, CBS, MP - **Chairperson**
2. Sen. Johnes Mwashushe Mwaruma, MP - Member
3. Sen. Joe Nyutu, MP - Member
4. Sen. Mariam Sheikh Omar, MP - Member
5. Sen. Beatrice Akinyi Ogola, MP - Member

ABSENT WITH APOLOGIES

1. Sen. Karen Nyamu, MP - **Vice Chairperson**
2. Sen. Allan Chesang, CBS, MP - Member
3. Sen. Abdul Haji, MP - Member
4. Sen. James Murango, MP - Member

IN ATTENDANCE

NATIONAL LAND COMMISSION

1. Mr. Gershom Otachi, EBS –Chairman
2. Prof. James K. Tuitoek - Commissioner
3. Mr. Elijah Letangule –Deputy Director

PETITIONERS

1. Ms. Doris Dama Katana
2. Mr. Nagib Shamson
3. Mr. Rajab Sumba
4. Mr. Abdillahi Farah Haji

SECRETARIAT

1. Mr. Boniface Leinaroshi	–Deputy Director, DSEC
2. Mr. Victor Bett	–Clerk Assistant 1
3. Ms. Ivy Nyambura	- Clerk Assistant III
4. Mr. Andrew Nyairo	- Legal Counsel II
5. Ms. Janice Lekuton	- Research Officer III
6. Mr. Simon Muinde	- Audio Officer
7. Mr. Jack Lemeteki	-Assistant Media Relations Officer
8. Mr. Boniface Mbithi	- Serjent at Arms

MINUTE SEN/LENR/261/2025: **PRELIMINARIES**

The Chairperson called the meeting to order at 2.10 pm followed by a word of prayer.

MINUTE SEN/LENR/262/2025 **MEETING WITH THE PETITIONERS ON THE PETITION CONCERNING RECOGNITION OF LAND OWNERSHIP RIGHTS AND REDRESS OF HISTORICAL INJUSTICES IN MOMBASA COUNTY**

The Chairperson invited the Chairman, National Land Commission to respond to issues raised by the Petitioners including supplementary questions from the Public regarding land matters.

The Chairman, NLC gave responses on the questions largely revolved around delayed or lack thereof of responses in petition sent to the Commission regarding historical land injustices. He stated that the Commission was in fact still considering a number of these matters but were experiencing challenges in manpower and budgetary constraints. However, the Commission was committed to ensuring that matters are addressed before the end of their tenure as Commissioners.

The Chair of the session thanked the Chairman, NLC for his response and presentation and appreciated NLC's commitment to address the issues and handed it back to the substantive Chairperson of the Committee to conclude the meeting.

The Chairperson emphasized the role of the Committee and indicated that the committee is currently considering matters raised during the meeting and is committed to resolve issues under their mandate. He proceeded to thank the Committee and participants for attending the meeting and called the meeting to a close.

MINUTE SEN/LENR/LENR/263/2025 ANY OTHER BUSINESS

There was no other business discussed.

MINUTE SEN/LENR/264/2025 ADJOURNMENT AND DATE OF NEXT MEETING

The meeting was adjourned at 3.40 pm. The date of the next meeting was to be called on notice.



SIGNED..... **17/4/2025**
DATE.....

SEN. MOHAMED MWINYIHAJI FAKI, CBS, MP
CHAIRPERSON
STANDING COMMITTEE ON LAND, ENVIRONMENT AND NATURAL RESOURCES

MINUTES OF THE FORTY FIFTH SITTING OF THE STANDING COMMITTEE ON LAND, ENVIRONMENT AND NATURAL RESOURCES HELD ON FRIDAY, 5TH APRIL, 2025 IN THE AUDITORIUM, KENYA SCHOOL OF GOVERNMENT, MOMBASA COUNTY AT 9:00 AM

PRESENT

1. Sen. Mohamed Mwinyihaji Faki, CBS, MP - **Chairperson**
2. Sen. Johnes Mwashushe Mwaruma, MP - Member
3. Sen. Joe Nyutu, MP - Member
4. Sen. Mariam Sheikh Omar, MP - Member
5. Sen. Beatrice Akinyi Ogola, MP - Member

ABSENT WITH APOLOGIES

1. Sen. Karen Nyamu, MP - **Vice Chairperson**
2. Sen. Allan Chesang, CBS, MP - Member
3. Sen. Abdul Haji, MP - Member
4. Sen. James Murango, MP - Member

IN ATTENDANCE

NATIONAL LAND COMMISSION

1. Mr. Gershom Otachi, EBS –Chairman
2. Prof. James K. Tuitoek - Commissioner
3. Mr. Elijah Letangule –Deputy Director

PETITIONERS

1. Ms. Doris Dama Katana
2. Mr. Nagib Shamson
3. Mr. Rajab Sumba
4. Mr. Abdillahi Farah Haji

SECRETARIAT

1. Mr. Boniface Leinaroshi –Deputy Director, DSEC
2. Mr. Victor Bett –Clerk Assistant 1
3. Ms. Ivy Nyambura - Clerk Assistant III
4. Mr. Andrew Nyairo - Legal Counsel II
5. Ms. Janice Lekuton - Research Officer III
6. Mr. Simon Muinde - Audio Officer
7. Mr. Jack Lemeteki -Assistant Media Relations Officer
8. Mr. Boniface Mbithi - Serjent at Arms

MINUTE SEN/LENR/257/2025: **PRELIMINARIES**

The Chairperson called the meeting to order at 9.20 am followed by a word of prayer.

MINUTE SEN/LENR/258/2025 **MEETING WITH THE PETITIONERS ON THE PETITION CONCERNING RECOGNITION OF LAND OWNERSHIP RIGHTS AND REDRESS OF HISTORICAL INJUSTICES IN MOMBASA COUNTY**

The Chairperson began by expressing his gratitude to members and petitioners for their attendance of the meeting before giving a brief overview of the Petition and specific Prayers set out in the Petition.

The Petitioners were then welcomed to present their prayers and table their submissions and evidence before the Committee. They began by raising a preliminary objection requesting the Chair to allow another Members to preside over the meeting over alleged conflict of interest. The Committee considered the preliminary objection and resolved to allow the Chair to recuse himself and Sen. Joe Nyutu, MP to act as chair for the meeting.

The Petitioners were reassured by the committee that the consideration, resolution and recommendations would be made by the members of the Committee as a whole. They then proceeded to give oral and written presentations to the Committee.

The Committee was briefed on the background of the Petition stating that their forefathers acquired the land through legitimate agreements with the original landowners, asserting that they are not squatters. Additionally, that despite being legal homeowners on these specific plots, they are now being referred to as 'tenants-at-will' and are compelled to pay monthly ground rent to absentee landlords. These landlords proceed to conduct unfair rent

practices by charging the petitioners illegal monthly rent without providing formal receipts which they continually increase without any consultations.

On concluding their oral submissions the Petitioners prayed that the Senate intervenes in the matters stated above with a view of recommending;

i. Investigation into allegations of human rights violations and land injustices within the affected plots of land in Mombasa County with a view to ensure that the Petitioners are awarded land lease agreements.
ii. Utilizes the findings of this investigation to formulate lasting solutions to the ongoing land ownership issues faced by residents of Mombasa County.

iii. Recommends mechanism that allows for the Petitioners to directly pay taxes and/or to the government.

iv. Make a recommendation for the legal recognition of Petitioners' tenancy rights.

v. Undertakes a comprehensive analysis to define the specific challenges faced by coastal communities regarding land ownership.

vi. Make a recommendation on provision of clear definitions for terms such as 'squatters', 'absentee landlords', and 'houses without land' within the context of ongoing coastal land reforms.

The Chairperson requested that the written presentations and evidence be submitted to the Secretariat for consideration by the committee. Additionally, members of the public were welcomed to take the opportunity to ask any question pertaining to the Petition and land matters in general to the Committee and the National Land Commission Members present.

MINUTE SEN/LENR/LENR/259/2025 **ANY OTHER BUSINESS**

There was no other business discussed.

MINUTE SEN/LENR/260/2025 **ADJOURNMENT AND DATE OF NEXT MEETING**

The meeting was adjourned at 1.00 pm. The date of the next meeting was to be on Saturday, 5th April, 2025 at 2.00pm.

SIGNED..... **DATE**..... **17/4/2025**

SEN. MOHAMED MWINYIHAJI FAKI, CBS, MP
CHAIRPERSON
STANDING COMMITTEE ON LAND, ENVIRONMENT AND NATURAL RESOURCES

Annex II:

Submissions by key Stakeholders

REPUBLIC OF KENYA

THE SENATE CLERK'S OFFICE
RECEIVED
09 APR 2025
P.O. Box 41842 - 00100, NAIROBI

MINISTRY OF GENDER, CULTURE, THE ARTS AND HERITAGE
STATE DEPARTMENT FOR CULTURE, THE ARTS & HERITAGE

Telegrams Tel: (254-020) 2226007
Mobile: 0722509212
E-mail: info@archives.go.ke
Website: http://www.archives.go.ke

When replying please quote

Ref. No KNA/7/3

(1) DSEC
Kindly deal
09/04/2025

KENYA NATIONAL ARCHIVES
AND DOCUMENTATION SERVICE,
MOI AVENUE,
P. O. BOX 49210,
NAIROBI, KENYA.

2nd April, 2025

J.M NYEGENYE,CBS
CLERK OF THE SENATE
OFFICE OF THE CLERK
OF THE SENATE
P.O BOX 41842 – 00100
NAIROBI

THE SENATE
RECEIVED
09 APR 2025
DIRECTOR COMMITTEE SERVICES
(DGAC)

(2) DDSEC (BL)
Kindly deal
09/04/2025

Dear Sir,

RE: REQUEST FOR DETAILS OF LAND AJUDICATION RECORDS OF PERCELS OF LAND NUMBERS, MOMBASA /BLOCK XVII/232,219,1068 AND XLV/54 IN MOMBASA COUNTY.

Reference is made to your letter REF: SEN/DSEC/DPEAC/LENR/2025(3) (100) dated 24th March, 2025 on the above subject.

This is to inform you that we have found information on the parcels shown above.

We have not found information on parcel no. Mombasa / Block/ XVII/1068. In case we get it we shall not hesitate to forward to you for your further action.

Yours Sincerely

FRANCIS G. MWANGI, OGW
DIRECTOR

(3) Mr. Bett
Kindly deal
10/04/25

THE SENATE
RECEIVED
09 APR 2025
DIRECTOR COMMITTEE SERVICES
(DSEC)

TAWS

EDITION: 2

OPENED: 7-8-87

PART A - PROPERTY SECTION

REGISTRATION SECTION	EASEMENTS ETC	NATURE OF TITLE
MOMBASA BLOCK XVII		ABSOLUTE
PARCEL NUMBER		
54		
APPROXIMATE AREA		
0.670 Ha.		
REGISTRY MAP SHEET No.		
MOMBASA BLOCK XVII		

PART B - PROPRIETORSHIP SECTION

ENTRY No.	DATE	NAME OF REGISTERED PROPRIETOR	ADDRESS AND DESCRIPTION OF REGISTERED PROPRIETOR	CONSIDERATION AND REMARKS	SIGNATURE OF REGISTRAR
3.	7.8.87	~~1. ROBERT M GOGO and 2. MRS. ABIGAEL ROBERT GOGO as joint proprietors in respect of 1/11th share of Peter Mwamburi Saut All of~~	P.O Box 95036 NSA SHS 30,000/-		[signature]
4.	7.8.87	~~ALI NASSOR SALIM ABDALLA in respect of 1/11th undivided share of Robert M. GOGO and MRS. ABIGAEL ROBERT GOGO~~	~~P.O Box 83645 NSA SHS 120,000/-~~		[signature]
5.	7.8.87	~~LAND CERTIFICATE ISSUED~~			
6	15.9.87	OMAR MUBARAK ALI IN RESPECT OF 1/11th UNDIVIDED SHARE OF ALI NASSOR SALIM ABDALLA	P.O Box 83645 MOMBASA SHS 100,000/-		[signature]

Kalamazoo 767038-611

TITLE BELOW THIS LINE

TITLE NUMBER	REGISTRATION SECTION	PARCEL No.
	MOMBASA Block XVII	54

TAWS LTD

EDITION 1

OPENED:

PART A - PROPERTY SECTION

REGISTRATION SECTION

MOMBASA/BLOCK/XVII

PARCEL NUMBER

219

APPROXIMATE AREA

1.577 ACRES

REGISTRY MAP SHEET NO

MOMBASA/BLOCK/XVII

EASEMENTS ETC

NATURE OF TITLE

ABSOLUTE

BOUNDARIES FIXED.
PLAN FILED.

PART B - PROPRIETORSHIP SECTION

ENTRY NO	DATE	NAME OF REGISTERED PROPRIETOR	ADDRESS AND DESCRIPTION OF REGISTERED PROPRIETOR	CONSIDERATION AND REMARKS	SIGNATURE OF REGISTRAR
1		Said Bin Seif, Ali Bin Mohamed & Mohamed Said as Trustees of Wakf	P. O. Box		

Kalamazoo
03199-611

TITLE BELOW THIS LINE

TITLE NUMBER

REGISTRATION SECTION

MOMBASA/BLOCK/XVII

PARCEL NO.

219

PART C - ENCUMBRANCES SECTION

ENTRY NO	DATE	NATURE OF ENCUMBRANCE	FURTHER PARTICULARS	SIGNATURE OF REGISTRAR

TAWS LTD.

EDITION: 1
OPENED:

PART A - PROPERTY SECTION

REGISTRATION SECTION	EASEMENTS ETC.	NATURE OF TITLE
MOMBASA/BLOCK XVII	No Transaction to be accepted	
PARCEL NUMBER: 232		
APPROXIMATE AREA: 5.02 ACRES		ABSOLUTE
REGISTRY MAP SHEET NO.: MOMBASA/BLOCK XVII		Boundaries fixed Plan filed

PART B - PROPRIETORSHIP SECTION

ENTRY NO.	DATE	NAME OF REGISTERED PROPRIETOR	ADDRESS AND DESCRIPTION OF REGISTERED PROPRIETOR	CONSIDERATION AND REMARKS	SIGNATURE OF REGISTRAR
1		Mohamed Said Said bin Seif and Ali bin Mohamed as Trustees Caveat dated 26/9/1962 By The East African Power & Lighting Co. Ltd. claiming a grant of easement			

Kalamazoo
03199-611

TITLE BELOW THIS LINE

TITLE NUMBER | REGISTRATION SECTION | PARCEL NO. 232

PART C - ENCUMBRANCES SECTION

ENTRY NO.	DATE	NATURE OF ENCUMBRANCE	FURTHER PARTICULARS	SIGNATURE OF REGISTRAR

Original Submission

Mkan & Company Advocates

Commissioner for Oaths and Notary Public

5/4/25

M.Mkan

Our Ref: MM/MISC 37/24 Your Ref: T.B.A Date: 11/10/2024

To;

Dear Sir/Madam,

RE: LAND PARCEL NO. MOMBASA/MN/THATHINI BLOCK 4/235

We have been instructed by our client namely MICHAEL OMONDI OKATCH the proprietor of plot No. Mombasa/MN/Thathini Block 4/235 who has instructed as to write to you as follows;

That you together with others moved into our client's plot and started constructing illegal houses thereon without our client's knowledge and or consent.

In that respect our mandatory instructions are to demand from you which we hereby do that you do demolish your said houses and move out of the said land immediately failure to which our client shall proceed to take all the necessary legal action to ensure that you comply with the same at your own peril as to all costs and consequences incidental thereto.

TAKE NOTICE THAT unless you shall have vacated the above mentioned land within the next Fourteen (14) days from the date hereof. We have mandatory instructions to proceed with the necessary legal action to ensure that you are legally evicted from the said land without any further reference to you.

Yours faithfully,
MKAN & COMPANY, ADVOCATES

M. MKAN.

Cc: Client

LOTUS PLAZA, 1ST FLOOR
CATHEDRAL ROAD
P.O. BOX 86875
MOMBASA-KENYA

0721 422441

mkan.co.advocates@gmail.com
info@mkanadvocates.co.ke

1. **THAT** the 1st Plaintiff is the lawful, registered and absolute owner of Land Registration Number **Mombasa/MN/Thathini/Block 4/114(Hereinafter called "the property")**
2. **THAT the 2nd Plaintiff is the lawful agent of the 1st Plaintiff duly authorized to develop, subdivide and sell the property for and on behalf of the Plaintiff.**

3. **THAT** the Defendants have without any colour of right, justification and plausible reason invaded the suit parcel, used witchcraft paraphernalia, criminal gangs and other detrimental tactics to scare off potential buyers at the detriment of the Plaintiff.

4. **THAT** the interference of the suit property by the Defendants is malicious and born out of blackmail and extortion after the Plaintiffs the National Land Commission mediated and found the Plaintiffs as the rightful owners of the suit property.

5. **THAT** the Plaintiffs have attempted to have the matter amicably resolved through the local administration but the Defendants have frustrated the said attempts.

6. **THAT** the Plaintiffs have incurred a lot of costs in subdivision, survey and marketing of the property and they risk financial loss.

7. **THAT** it is in the interest of justice that this Honourable Court certifies the present application as urgent and grant the prayers sought.

8. **THAT** if the Honourable Court does not urgently intervene to stop this irregular, unjustifiable and illegal possession, use and occupation of the suit property by the Defendant, the Plaintiff/Applicant stands to suffer irreparable harm which cannot be compensated by money damages.

DATED at **MOMBASA** this **2nd** day of **September** 2024

ONYARI NYAMEINO & CO.
ADVOCATES FOR THE PLAINTIFFS/APPLICANTS

DRAWN & FILED BY: -
ONYARI NYAMEINO & CO ADVOCATES,
NSSF BUIDING,7TH FLOOR RM 837,
NKRUMAH ROAD
P.O BOX 43072-80100
MOMBASA
Admn. No. P.105/18129/20

DATED at MOMBASA this 27th day of September 2024

ONYARI NYAMEINO & CO.
ADVOCATES FOR THE PLAINTIFF/APPLICANTS

DRAWN & FILED BY:-
ONYARI NYAMEINO & CO. ADVOCATES
NSSF SOUTH C, 7TH FLOOR, DR 852
NKRL MAIN ROAD
P.O BOX 43072-80100
MOMBASA
Adm. No. P.105/18129/20

REPUBLIC OF KENYA
IN THE CHIEF MAGISTRATE'S COURT AT MOMBASA
ENVIRONMENT & LAND CASE NO OF 2024

THATHINI DEVELOPMENT COMPANY LIMITED....1ST PLAINTIFF/APPLICANT

SAHEEM LIMITED.....2ND PLAINTIFF/APPLICANT

=VERSUS=

GANDINI SAUTI MOJA COMMUNITY.....1ST DEFENDANT/RESPONDENT

KASHANI RESIDENTS.....2ND DEFENDANT/RESPONDENT

GAMAKA COMMUNITY BASED
ORGANIZATION.....3RD DEFENDANT/RESPONDENT

PETER TARAZA NDUNE.....4TH DEFENDANT/RESPONDENT

NANCY GOE.....5TH DEFENDANT/RESPONDENT

SIMON PETER.....6TH DEFENDANT/RESPONDENT

DAVID CHIFALU.....7TH DEFENDANT/RESPONDENT

SAIDI MGALA.....8TH DEFENDANT/RESPONDENT

USTADH HUSSEIN ALI.....9TH DEFENDANT/RESPONDENT

CORNELIUS KATANA.....10TH DEFENDANT/RESPONDENT

DAVID NGUNZO.....11TH DEFENDANT/RESPONDENT

DAMARIS KATANA.....12TH DEFENDANT/RESPONDENT

STEPHEN RUNYA.....13TH DEFENDANT/RESPONDENT

NOTICE OF MOTION

(Under Article 40 of the Constitution of Kenya 2010, section 152 of the Land Act, Section 24 of the Land registration Act, Section 3 & 3A of the Civil Procedure Act, Order 51 and Order 40 of the Civil Procedure Rules (2010) and all other enabling provisions of the law)

IN THE HIGH COURT OF KENYA
AT NAIROBI (MILIMANI COMMERCIAL AND TAX DIVISION)
CIVIL SUIT NO. ____ OF 2021

TWALUMBA DEVELOPMENT COMPANY LIMITED.....1ST PLAINTIFF/APPLICANT

SALIM M. SALIM.....2ND PLAINTIFF/APPLICANT

-VERSUS-

GANDINI SALT TYCOON COMMUNITY.....1ST DEFENDANT/RESPONDENT

KANJAM RISIDENTS.....2ND DEFENDANT/RESPONDENT

GANJARA COMMUNITY BASED
ORGANIZATION.....3RD DEFENDANT/RESPONDENT

PETER PAMAZA NOLAI.....4TH DEFENDANT/RESPONDENT

NANCY GOI.....5TH DEFENDANT/RESPONDENT

SIMON PETER.....6TH DEFENDANT/RESPONDENT

DAVID CHEPKEL.....7TH DEFENDANT/RESPONDENT

SAIDI MGALA.....8TH DEFENDANT/RESPONDENT

USTAJIN HUSSEIN ALI.....9TH DEFENDANT/RESPONDENT

CORNELIUS KATANA.....10TH DEFENDANT/RESPONDENT

DAVID NGUNZO.....11TH DEFENDANT/RESPONDENT

DAMARIS KATANA.....12TH DEFENDANT/RESPONDENT

STEPHEN KUNYA.....13TH DEFENDANT/RESPONDENT

NOTICE OF MOTION

(Under Article 50(4) of the Constitution of Kenya 2010, Section 1(2)(c)(e) and 1(3) of the Land Act, Section 3(2) of the Land Registration Act, Section 3 & 3A of the Civil Procedure Act, Order 51 and Order 40 of the Civil Procedure Rules (2010) and all other enabling and powers)

TAKE NOTICE that this Honourable Court will be moved on the ..... day of .....2024, at 9:00 O'clock or in the forenoon or soon thereafter as Counsel for the Plaintiff/Applicant can be heard on an application for ORDERS:-

1. THAT this application be certified as urgent and heard ex-parte in the first instance.

2. THAT **pending** the hearing and the determination of this application this Honourable Court do issue an order of injunction against the Defendants/Respondents herein to restrain them and their agents from, invasion, encroaching, blocking access, barricading roads, occupation, threatening potential buyers and or otherwise interfering with the Plaintiffs use and occupation property known as **Mombasa/MN/Thathini/Block 4/114 and Mombasa/MN/Thathini/Block 4/115**

3. THAT **pending** the hearing and the determination of this suit this Honourable Court issue an order of injunction against the Defendants/Respondents herein to restrain them and their agents from, invasion, encroaching, blocking access, barricading roads, occupation, threatening potential buyers and or otherwise interfering with the Plaintiffs use and occupation property known as **Mombasa/MN/Thathini/Block 4/114 and Mombasa/MN/Thathini/Block 4/115**

4. THAT the Officer in charge Kiembeni Police Station, OCPD Kisauni County Police Commander Mombasa and/or Regional Police Commander Coast ensure compliance with the orders.

5. THAT the costs of this Application be awarded to the Plaintiff/Applicant.

WHICH APPLICATION is based on the following grounds and the Affidavit of **KENNEDY WEKESA** annexed hereto and further on other reasons to be adduced at the hearing hereof.

a) **THAT** the 1st Plaintiff is the lawful, registered and absolute owner of Land Registration Number **Mombasa/MN/Thathini/Block 4/114 and Mombasa/MN/Thathini/Block 4/115** and thus legally entitled to enjoy his proprietary rights of unfettered use and occupation vide Section 24 of the Land Registration Act

b) **THAT** the 2nd Plaintiff is the lawfully appointed agent of the 1st Plaintiff mandated to manage, advertise and offer for sale the portions of the suit property to potential buyers

c) **THAT** the Defendants have without any colour of right, justification and plausible invaded, encroached and blocked access to the property to both the Plaintiffs and other prospective buyers.

d) **THAT** the Plaintiffs have attempted to have the matter amicably resolved through the local administration from the local chief to the Deputy County Commissioner but the Defendants have frustrated the said attempts.

e) **THAT** the Plaintiffs have incurred a lot of costs in subdivision, survey and marketing of the property and they risk financial loss.

f) **THAT** it is in the interest of justice that this Honourable Court certifies the present application as urgent and grant the prayers sought.

THAT if the Honourable Court does not urgently intervene to stop this irregular, unjustifiable and illegal possession, use and occupation and interference with the suit property by the Defendants, the Plaintiffs/Applicants stand to suffer irreparable harm which cannot be compensated by money damages

DATED at MOMBASA this 2nd day of September 2024.

ONYARI NYAMEINO & CO.
ADVOCATES FOR THE PLAINTIFF/APPLICANT

DRAWN & FILED BY: -
ONYARI NYAMEINO & CO ADVOCATES,
NSSF BUIDING,7TH FLOOR RM 837,
NKRUMAH ROAD
P.O BOX 43072-80100
MOMBASA
Admn. No. P.105/18129/20

TO BE SERVED UPON:-
GANDINI SAUTI MOJA COMMUNITY
GAMAKA COMMUNITY BASED ORGANIZATION
KIEMBENI RESIDENTS
PETER TARAZA NDUNE
NANCY GOE
SIMON PETER
DAVID CHIFALU
SAIDI MGALA
USTADH HUSSEIN ALI
CORNELIUS KATANA
DAVID NGUNZO
DAMARIS KATANA
STEPHEN RUNYA

ONYARI NYAMEINO & CO
ADVOCATES FOR THE PLAINTIFF/CLIENT

DRAWN & FILED BY:
ONYARI NYAMEINO & CO. ADVOCATES
WESTLANDS, 3RD FLOOR, SW
MUSEUM ROAD
P.O BOX 2502-00100
NAIROBI
Advn. No. P.105/1812/20

TO BE SERVED UPON:
GANDINI SAUTI MOJA COMMUNITY
GAMAKA COMMUNITY BASED ORGANIZATION
KIEMBENI RESIDENTS
PETER TARAZA NDUNE
NANCY GOE
SIMON PETER
DAVID CHIFALU
SADI MOALA
USTADH HUSSEIN ALI
CORNELIUS KATANA
DAVID NDUNZO
DAMARIS KATANA
STEPHEN RUNYA

REPUBLIC OF KENYA
IN THE CHIEF MAGISTRATE'S COURT AT MOMBASA
ENVIRONMENT & LAND CASE NO OF 2024

THATHINI DEVELOPMENT COMPANY LIMITED....1ST PLAINTIFF/APPLICANT

SAHEEM LIMITED.....2ND PLAINTIFF/APPLICANT

=VERSUS=

GANDINI SAUTI MOJA COMMUNITY.....1ST DEFENDANT/RESPONDENT

KASHANI RESIDENTS.....2ND DEFENDANT/RESPONDENT

GAMAKA COMMUNITY BASED
ORGANIZATION.....3RD DEFENDANT/RESPONDENT

PETER TARAZA NDUNE.....4TH DEFENDANT/RESPONDENT

NANCY GOE.....5TH DEFENDANT/RESPONDENT

SIMON PETER.....6TH DEFENDANT/RESPONDENT

DAVID CHIFALU.....7TH DEFENDANT/RESPONDENT

SAIDI MGALA.....8TH DEFENDANT/RESPONDENT

USTADH HUSSEIN ALI.....9TH DEFENDANT/RESPONDENT

CORNELIUS KATANA.....10TH DEFENDANT/RESPONDENT

DAVID NGUNZO.....11TH DEFENDANT/RESPONDENT

DAMARIS KATANA.....12TH DEFENDANT/RESPONDENT

STEPHEN RUNYA.....13TH DEFENDANT/RESPONDENT

SUPPORTING AFFIDAVIT

I, **KENNEDY WEKESA** of Post office Box Number **2534-80100** Mombasa in the Republic of Kenya do hereby swear on oath and say as follows:

1. **THAT** I am the Director of the 2nd Plaintiff/Applicant herein hence competent to swear and depone to this affidavit.

SUPPORTING AFFIDAVIT

2. **THAT** in support of the averments in support of my application before this Honourable Court I will rely on the bundle that I mark and produce as **"Exhibit A"** which consists of the following documents

3. **THAT** the 1st Plaintiff is the registered owner of **Land Reference No. Mombasa/MN/Thathini/Block 4/114 and Mombasa/MN/Thathini/Block 4/115 hereinafter called the Property(Attached and produced as Exhibit A 1 and 2 are copies of the said title deeds)**

4. **THAT** the 1st Plaintiff was interested in disposing off the said properties to help clear a loan and contracted the 2nd Defendant to help subdivide, market and sell the property on its behalf **(Attached and produced as Exhibit B is a copy of the said letter of authority).**

5. **THAT** being the Director of the 2nd Plaintiff, I embarked on procuring surveyors to subdivide the said parcels of land in order to sell them**(Attached as Exhibit C is a copy of the proposed subdivision plan)**

6. **THAT** we have found many willing buyers and all our attempts to take them to view the property have been met with hostility from the Defendants, their agents and cronies. This hostility has included invasion, encroaching, blocking access and occupation of the suit premises. The Defendants have also used sorcery and witchcraft paraphernalia on the property in what appears to be malicious and deliberate attempts to frustrate the use, occupation and full realization of the property.

7. **THAT** I am apprehensive that the Defendants are undertaking these malicious and deliberate activities to curtail the enjoyment of the Plaintiffs' constitutional and statutory rights as the registered, legal and absolute owner of the suit property if the orders sought under certificate are not granted at first instance.

8. THAT the Defendants through their members have threatened me with death, curses, witchraft and sorcery by lighting fires and burning tyres near and around the suit premises.

9. **THAT** it is in the interest of justice and protection of right to property that this Honorable Court grants the orders sought to prevent a continued violation of justice occasioned by the injustice being visited upon the Plaintiff by the Defendant.

10. **THAT** the Defendants will suffer no prejudice if the orders sought from this Honourable Court are granted.

11. **THAT** what is deponed herein above is true to the best of my knowledge information and belief.

SWORN at **MOMBASA**)
this 2nd day of **September** 2024)
By the said)

.....

KENNEDY WEKESA) Deponent
)
BEFORE ME)
)



COMMISSIONER FOR OATHS

DRAWN & FILED BY:-
ONYARI NYAMEINO & CO ADVOCATES,
NSSF BUIDING,7TH FLOOR RM 837,
NKRUMAH ROAD
P.O BOX 43072-80100
MOMBASA
Admn. No. P.105/18129/20

TO BE SERVED UPON:-
GANDINI SAUTI MOJA COMMUNITY
GAMAKA COMMUNITY BASED ORGANIZATION
PETER TARAZA NDUNE
NANCY GOE
SIMON PETER
DAVID CHIFALU
SAIDI MGALA
USTADH HUSSEIN ALI

REPUBLIC OF KE

THE LAND REGISTRAT

(No. 3 of 2012, section 108)

THE REGISTERED LAND ACT

(Chapter 300) (REPEALED)

This is the exhibit marked "AH1"
Referred to in the annexed Declaration Affidavit
Kenneth Kipkoge
Declarared Sworn before me this ..... day
..... 20 24 in the Republic of Kenya
Commissioner For Oaths

Title Deed

Title Number MOMBASA/MN/THATHINI/BLOCK 4/114

Approximate Area 3.655 HA.

Registry Map Sheet No. 1 & 2

This is to certify that THATHI-INI DEVELOPMENTS [illegible]
LIMITED, P.O. BOX 41686-80100, MOMBASA

is (are) now registered as the absolute proprietor(s) of the land comprised in the above-mentioned title, subject to the entries in the register relating to the land and to such of the overriding interests set out in section 28 of the Land Registration Act (No. 3 of 2012) as may for the time being subsist and affect the land.

GIVEN under my hand and the seal of the

MOMBASA District Land Registra

this 15th day of November

REPUBLIC OF KENYA

THE LAND REGISTRATION ACT

(No. 3 of 2012, section 108)

THE REGISTERED LAND ACT

(Chapter 300) (REPEALED)

This is the exhibit marked "A2"
Referred to in the annexed Declaration / Affidavit
Kennedy Mukesa
Declarared / Sworn before me this A2 day
20 in the Republic of Kenya
Commissioner For Oaths

Title Deed

Title Number MOMBASA/MN/THATHINI BLOCK 4/115

Approximate Area 5.762 HA.

Registry Map Sheet No. 1 & 2

This is to certify that THATHI-INI DEVELOPMENT COMPANY LIMITED, P.O. BOX 41686-80100, MOMBASA =

= = = = =

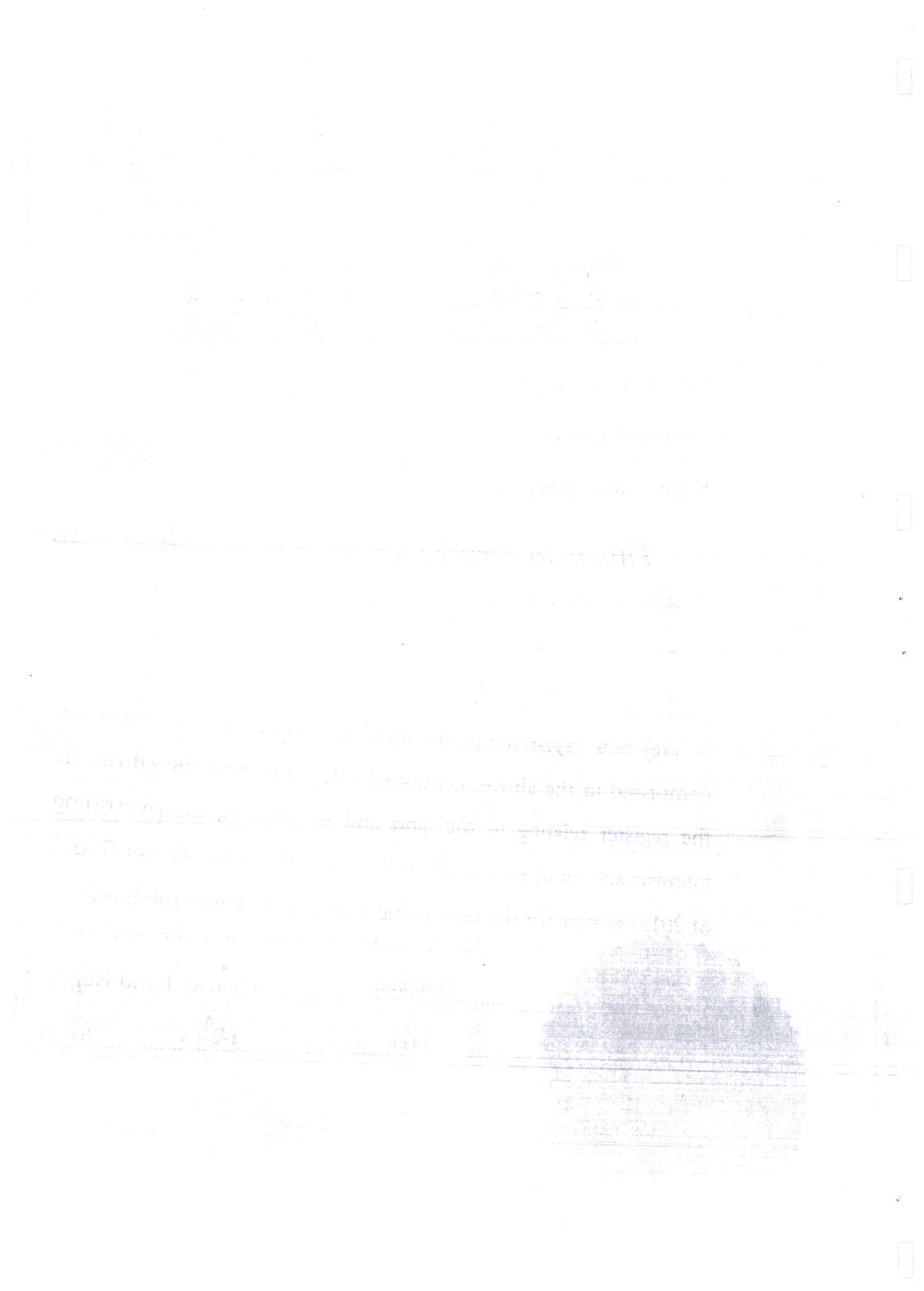
= = = = =

is (are) now registered as the absolute proprietor(s) of the land comprised in the above-mentioned title, subject to the entries in the register relating to the land and to such of the overriding interests set out in section 28 of the Land Registration Act (No. 3 of 2012) as may for the time being subsist and affect the land.

GIVEN under my hand and the seal of the MOMBASA District Land Registry

this 11th day of April, 20 19..

Land Registrar



MWA

MWANIKI GITAHI & PARTNERS

ADVOCATES & COMMISSIONER FOR OATHS

MWANIKI GITAHI
L.L.B. Hons (Moi) Dip. ATP (KSL)
MICHAEL MUCHEMI
L.L.B. Hons (Nbi) Dip. ATP (KSL)
KENNETH AMONDI
L.L.B. Hons (Moi) Dip. ATP (KSL)

7th Floor, NSSF Building
South Wing, Suite 704
Nkrumah Road.
P.O. Box 92933-80100, G.P.O Mombasa.
Tel: 041 2220037, 041 2220038
Fax: 041 2230207
Mob: 0721 818449

This is the exhibit marked "B"
Referred to in the annexed Declaration Affidavit
Declarared Sworn before me this 19th day of Sept 20 24 in the Republic of Kenya
Commissioner For Oaths

TO:
The OCS
Kiembeni Police Station

Dear Sir,

RE: THATHIINI DEVELOPMENT CO. LTD LAND

We act for THATHIINI DEVELOPMENT CO. LTD and SAHEEM LIMITED their appointed agent.

Kindly note Mr. Kennedy Wekesa of ID. No. 10719247 is the director of Saheem Limited duly authorized to sell our client's land. Attached please find copies of Title Deeds of the said land.

We request you to accord him the necessary assistance to implement the resolutions passed by the National Land Commission Arbitration Dispute Resolution (ADR) process regarding these parcels of land within your jurisdiction.

Yours Faithfully.

MWANIKI GITAHI-ESQ

MWANIKI GITAHI ADVOCATES

MWANIKI GITAHI ADVOCATE P.O. BOX 92933-80100 MOMBASA

CC
ACC Mwakirunge,

ACC Bamburi.

This is the exhibit marked "C"
Referred to in the annexed Declaration / Affidavit
Kenedy Klekesa
Declarared / Sworn before me this 10 day.
Sept 2024 in the Republic of Kenya
Commissioner For Oaths



fghjkl

BUSINESS REGISTRATION SERVICE
P. O. BOX 30031
NAIROBI
4 JUL 2024

To
KELVIN MUGAMBI NTONJIRA
P.O. Box 9303
00200 - CITY SQUARE

THE COMPANIES ACT, 2015

Records relating to the below company held by the Companies Registry as at 4 Jul 2024

..

COMPANY	SAHEEM LIMITED
COMPANY NUMBER	CPR/2015/207642
NOMINAL SHARE CAPITAL	100,000.00
NUMBER AND TYPE OF SHARES (VALUE PER SHARE)	ORDINARY: 1000 (KES 100.00 EACH)
DATE OF REGISTRATION	17TH SEP, 2015
REGISTERED OFFICE	P.O BOX 4182 40200 TELEPHONE: 205193, EMAIL: 1000 SHARES OF KSH 100 EACH COUNTY: , DISTRICT: , LOCALITY: STREET: , BUILDING:
POSTAL ADDRESS	P.O BOX 4182 40200
ENCUMBRANCES	

Name of Directors and Shareholders of the above company with their particular are as follows

NAME	DESCRIPTION	ADDRESS	NATIONALITY	SHARES
F,G MUCHOMBA	SECRETARY		N/A	ORDINARY: 0
KENNEDY WANJALA WEKESA	DIRECTOR/SHAREHOLDER	P.O BOX 34223 MOMBASA G.P.O	KENYAN	ORDINARY: 1000
			TOTAL	1000

Yours Faithfully,
REGISTRAR OF COMPANIES

REF NO: OS-RRFYQVXL

DISCLAIMER: THIS IS A SYSTEM GENERATED CERTIFICATE AND DOES NOT REQUIRE A SIGNATURE

This is the exhibit marked "A"
Referred to in the annexed Declaration Affidavit
Kennedy Klekosa
Declarared Sworn before me this 1st day
Sept 20 24 in the Republic of Kenya
Commissioner For Oaths

REPUBLIC OF KENYA

REPUBLIC OF KENYA

IN THE MAGISTRATE COURT OF KENYA AT MOMBASA

COURT NAME: MOMBASA LAW COURT

CASE NUMBER: MCELC/E193/2024

CITATION: THATHIINI DEVELOPMENT COMPANY LIMITED AND SAHEEM LIMITED VS GANDINI SAUTI MOJA CBO

ORDERS(COURT DOCUMENT)

THIS MATTER coming up on 3.9.2024 for directions on the Notice of Motion dated 2.9.2024 before Honourable J. B. Kalo in the absence of the parties and upon considering the same; IT IS HEREBY ORDERED:

1. THAT the application is certified urgent

2. THAT pending the hearing of the application inter parties an order of temporary injunction is hereby issued against the defendants restraining them and their agents from, invasion, encroaching, blocking access, barricading roads, occupation, threatening potential buyers and or otherwise interfering with the Plaintiffs\\\' use and occupation of the property known as Mombasa/MN/Thathini/Block 4/114 and Mombasa/MN/Thathini/Block 4/115

3. THAT the application shall be heard inter parties on 17.9.2024 before Hon. Kalo. Plaintiff to serve the application and the order upon the defendant within two days from the date hereof

4. THAT the Officer in charge Kiembeni Police Station, OCPD Kisauni County Police Commander Mombasa and/or Regional Police Commander Coast ensure compliance with the orders.

GIVEN under my hand and seal of the Honourable court this 3rd day of September 2024.

Penal Notice: Take notice that any disobedience or non-observance of the order of the court served herewith will result in penal consequences to you and any other person(s) disobeying and not observing the same

SIGNED BY: HON. J.B KALO

THE JUDICIARY OF KENYA.

KASHANI RESIDENTS,

C/O KASHANI PRIMARY SCHOOL,

P.O. BOX 41141 -80100,

MOMBASA.

DATE: 15th, July, 2024.

OUR REF; KR/ADM/HLI/04/07/2024

THE CHAIRMAN,

NATIONAL LAND COMMISSION,

316, UPPERHILL CHAMBERS,

2nd, NGONG AVENUE, OFF NGONG ROAD,

P.O BOX 44417-00100,

NAIROBI-KENYA.

Dear Sir/Madam,

RE: HISTORICAL LAND INJUSTICES CLAIM NO. NLC/HLI/828/2021.

The above captioned claim please refer,

It has come to our attention THAT we the residents of Kashani Parcel No. 360/11/MN who raised a dissenting voice first on the 19TH, March, 2024 during our oral submission to the taskforce at BANDARI followed by our letter REF NO. KR/ADM/HLI/03/03/2024 a copy attached herewith (EXB001) objecting to the defective proposed (ADR) Alternative dispute resolution as suggested by Gamaka Lands Committee (CBO) officials THAT you have not only appointed Mr. Bosire as a Mediator without our knowledge and involvement but gone further to approve the same non consultative ADR via your Letter dated the 15th, April, 2024 Ref. No. NLC/CC/MSA/VOL.111/90.

As we patiently await for your response/verdict to our Claim, learning that KASHANI plot 360 which distanced itself from Gamaka's dealings and withdrew its membership forthwith leaving Gamaka Lands cbo with only Plot No. 829 and 546 under their Management and control is still considered to be under Gamaka Lands control and mamagement is NOT only unjustified but injurious to the entire Kashani Community who hope to find justice from your goodselves.

On the 03rd, of July, 2024 in a meeting in the office of the DCC Kisauni, Mr. Edward Bosire went on record stating that the ongoing mediation process which had so far conducted several sittings including the one held on the 18th, April, 2024, and 03rd, May, 2024 had nothing to do with us the Residents of Kashani plot 360 hence our involvement and invitation to these sittings were not necessary contrary to the ADR approval letter which placed our plot under among the two parcels under GAMAKA Lands prompting them to undertake data collection and Survey processes. Our fundamental questions to your goodselves is, Wasn't it to the best interest of all parties to first get your verdict on our Historical Land injustice claim before allowing this ADR to proceed, appointing another entity SAHEEM to be in charge of a Survey on the same piece of Land we had raised an objection to? Didn't our request to have Kashani plot 360 be isolated and treated as a separate entity from Gamaka Lands meet your threshold as avalid and merited request?

Like we mentioned in our letter dated 04th, July, 2024 Ref. No. KR/ADM//HLI/01/07/2024 copied to the Regional Coordinator, Mr. Edward Bosire Copy attached herewith (EXB002) we can only assume that you erred in your letter which captured Kashani plot 360 as one of the plots under the ADR. However if you meant that Kashani plot 360 was incorporated under the suggested ADR, we wish to firmly remind your goodselves that We the Kashani Residents strongly believe unlike Gamaka lands cbo that THATHINI or their Associates or Agents or the 449 individuals purported to be holding titles as evidenced and substantiated in our petition before you are NOT the owners of our Lands the 917 Hectares ~~inherited~~ from our great grandparents. As such are strongly opposed to any ADR crafted to disinherit us. We still maintain that this commission should address itself to the grievances contained in our claim and fairly allow Kashani Residents have their lands adjudicated and registration process started for them to own their lands as they are i.e. Jembe kwa Jembe.

Yours Faithfully,

SIGNING ON BEHALF OF KASHANI RESIDENTS,

1. **SAMUEL KAHINDI BAYA ID. NO. 9206459. 0720894167.** .....
2. **DORIS DAMA KATANA.ID.NO. 11265331. 0726837626.** .....
3. **DAVID KITSAO NGUZO.ID.NO. 11762549. 0716896933.** .....
4. **CHOGO HARE RUWA. ID.NO. 11761306. 0723282637.** .....
5. **JOEL O. KEREMA. ID.NO. 1634762. 0722346729.** .....

CC:-

1. **Prof. Ngugi.**
   TASKFORCE CHAIR.
2. **The Legal Team**
   NLC NAIROBI.

Ex Bd

02 APRIL 2024

KASHANI RESIDENTS,
C/O KASHANI PRIMARY SCHOOL,
P.O. BOX 41141 -80100,
MOMBASA.

DATE: 27th, March, 2024.

OUR REF; KR/ADM/HLI/03/03/2024

THE CHAIRMAN,
NATIONAL LAND COMMISSION,
316, UPPERHILL CHAMBERS,
2nd, NGONG AVENUE, OFF NGONG ROAD,
P.O BOX 44417-00100,
NAIROBI-KENYA.

Dear Sir/Madam,

RE: EMMERGING CONFLICTS ON OUR HISTORICAL LAND INJUSTICES CLAIM NO. NLC/HLI/828/2021.

The above captioned claim refers,

We the residents of Kashani Parcel No. 360/II/MN which sits on 917 Acres of Land Located in Bamburi Location, Kisauni Sub-County, Mombasa County wish to express and categorical state our objections to Gamaka Lands committee plea and suggestion to go into a negotiating table with THATHINI before the National Lands Commission delivers its ruling/Verdict on the claim before them i.e. Kashani Parcel 360;

1. That the decisions/stand or opinions taken by GAMAKA the umbrella CBO earlier mandated to fight for the interests of the KASHANI people on matters Historical Land injustices currently before the National Lands Commission taskforce **IS NOT** the common decision/stand or opinion shared/taken by the people of Kashani. We the Kashani people have noted with lots of regrets that the leadership of GAMAKA has entered into a secretive non consultive Agreement between GAMAKA and THATHINI to have the GAMAKA lands three parcels i.e. Gandini,

Maunguja and Kashani be sub divided as per each person's area of occupancy contrary to our initial agreement as evidenced by their plea on their Historical injustice claim form a *copy attached herewith.* (ANNX001) We therefore distance ourselves from the position taken by the said GAMAKA.

2. Gamaka Land Committee leadership have failed to uphold the provisions of Article 10 of the constitution which provides for public participation on a matter affecting the lives of Kenyans. We the Residents of Kashani have NOT been consulted, involved or advised on the ongoing discussions Chaired by our Mombasa Senator, Hon Mohammed Faki touching on our parcel LR 360/11/MN. The Hon. Senator noticing a conflict between Gamaka the Kashani residents officials convened a reconciliatory meeting to bring us together which never happened since Gamaka Officials failed to honour the invitation without apologies or rescheduling. We strongly believe Gamaka Lands Committee officials DO NOT REPRESENT the interest of KASHANI RESIDENTS no meeting nor barazas have been called to share their decision on sitting on a negotiating table with THATHINI which to us as Kashani residents amount to acknowledging the position that THATHINI are the owners of our lands HISTORICALLY and preempting the outcome of our claim by NLC. We the Kashani Residents have spoken in a meeting held on Sunday 24th, March, 2024 and Thursday the 28th, March,2024 as per the *attendance list attached herewith* (ANNX 002) that WE are not part of their Waitiki settlement way.
3. The Gamaka Lands Committee officials have proved insincere, double speak and unreliable, we can't trust them spearheading this process on our behalf and as such wish to distance ourselves from any of their plans/decisions taken without giving the National Lands Commission taskforce a chance to fairly deliberate and give us a verdict upon our Land Historical injustice claim currently before them. We are NOT for the WAITIKI LIKONI way of Settlement as pleaded by both Gamaka lands committee officials under oath during their oral submission on the 20th, and 21st, March, 2024 before the taskforce. The famous Marimani Declaration/Memorundum Prayers made on 20th, May 2016 (page 2 Prayer No. 1)by the same Gamaka officials on our behalf states in part and I quote "these parcels of Land 546,829,360 be demarcated and located to the local residents Jembe kwa Jembe" *a copy attached herewith".*(ANXX 003) On 22nd, September, 2021 when THATHINI called us to a meeting to give us their proposal to sell to us a 50X100 Ft plot at Kshs. **500,000/=** the same

officials wrote to National Lands Committee as GAMAKA a letter dated 23rd, Sept, 2021*a copy attached* (ANNX 004) condemning the intrusion and asking the Government through NLC to give back these lands to the residents. We the residents of Kashani equally did a letter to the Regional Commissioner dated 24th, Sept, 2021 stating the same position *a copy attached herewith.* When did this position change? Where is the proof showing that the residents were consulted and consented to any change?

4. Gamaka Lands Committee officials will NOT have done justice to the people of Kashani by enter into an agreement with Thathini Development Company or its agents to accept only a handful of Families (34 Families) perceived to be loyal to them to be awarded free ownership in the expense of the larger Kashani residents, whilst back in 2015 Thathini Development Company offered the residents 1000 Acres out of the Total 4320 Acres as evidenced by NLC's the then Chairman Swazuri's *Copy attached* yet Gamaka Lands refused the offer. What is NOW the rational of accepting only 34 free plots which when put together may NOT add up to even 100Acres? For this reason we kindly request without any prejudice to the commission put to consider putting a restriction order to Thathini Development Company NOT to continue with any dealings on this piece of Land until our claim is fully heard and a verdict is delivered by the commission.

It is our contention that the allocation of the said piece of land was done unfairly owing to the fact that there were indigenous people living thereon at the time who needed to have been considered. We therefore are clearly stating that we cannot sanitize the injustices visited upon the residents of Kashani by taking the route taken in Waitiki-Likoni Settlement. We maintain that this commission should only address itself to the grievances contained in our claim and if possible pay a visit to the said piece of land to see for its selves what we have constantly pointed out.

Yours Faithfully,

SIGNING ON BEHALF OF KASHANI RESIDENTS.

1. **SAMUEL KAHINDI BAYA 0720894167** .....
2. **DORIS DAMA KATANA. 0726837626** .....
3. **DAVID NGUZO. 0716896933** .....
4. **CHOGO HARE RUWA 0723282637** .....
5. **JOEL O. KERAMA 0722346729** .....

Exb 2.

KASHANI RESIDENTS,

C/O KASHANI PRIMARY SCHOOL,

P.O. BOX 41141 -80100,

MOMBASA.

DATE: 04th, July, 2024.

COUNTY COMMISSIONER MOMBASA 4/7/24

OUR REF: KR/ADM/HLI/01/07/2024

TO,

THE DEPUTY COUNTY COMMISSIONER,

KISAUNI SUB-COUNTY,

MOMBASA COUNTY.

NATIONAL LAND COMMISSION 04 JUL 2024 RECEIVED P.O. Box 10241-80101 MOMBASA

RE: HISTORICAL LAND INJUSTICES CLAIM NO. NLC/HLI/828/2021.

Following the meeting held in your good office yesterday the 03rd, July, 2024 between yourself and Kashani Residents Officials.

We the residents of Kashani Parcel No. 360/11/MN do hereby kindly but urgently request for a trilateral meeting between yourself, the National Lands Commission Regional Coordinator Mr. (Edward Bosire) and ourselves as the representatives of the Kashani Residents. This is to shade light on the mediation process currently undertaken by the national lands Commission Chaired by our Regional Coordinator without our involvement.

It is on record that the people of Kashani plot 360/11/MN clearly and loudly recorded their dissenting voices on the 21st, March, 2024 before the National lands Commission Taskforce on the proposed deceptive and Secretive Alternative Dispute Resolution (ADR) proposed by the leaders of GAMAKA LANDS COMMIITTE CBO officials with THATHINI and associates.

This was equally followed by our protest Letter to the National Lands Commission Chairman Referenced KR/ADM/HLI/03/03/2024 Dated 27th, March, 2024 and received on the 2nd, April, 2024 a (copy herein attached) where Kashani residents withdrew their membership and association with GAMAKA LANDS COMMITTEE CBO dealings and further distanced themselves from the imposed (ADR) by the same body. This position was later confirmed on the 18th, May, 2024 when the residents held a BARAZA inviting the Area MCA Bamburi Ward Hon. Patrick Mbelle and the Area Member of Parliament Kisauni Constituency Hon. Rashid Bedzimba in the presence of GAMAKA LANDS officials led by their Chairman Mr. Gabriel Tella where over 500 residents openly and categorically expressed their lack of confidence and hence denouncing their association/dealings with GAMAKA lands Committee including the ADR as evidenced in a video clip and the attendants list.

It saddens the residents of Kashani plot No. 360 to learn with a heavy heart that as we patiently await the NLC to give us a verdict on our petition, a mediation process has been put in place to proceed on with the proposed ADR against their knowledge and involvement. We want to strongly assume that this position taken by NLC at this level to adopt an ADR as proposed by Gamaka and associates only applies to the Other Two parcels of lands that have NOT denounced their membership and involvement with GAMAKA lands Committee cbo i.e. Gandini and Maunguja since Kashani 360/11/MSA residents still hold the view that the 917 Acres covering the entire Kashani is their ancestral Lands and is not for grabs or sale.

Through this letter we would wish to remind National Lands Commission to relook keenly into this proposed ADR by GAMAKA LANDS on its full ramifications.

Yours Faithfully,

KASHANI RESIDENTS,

CHAIRMAN

CORNELIUS KATANA (0713654712)

SECRETARY.

DAVID NGUZO. (0716896933)

CC: -

1. The Regional Coordinator,
   National Lands Commission,
   Mr. Edward Bosire.
2. The Member of Parliament,
   Kisauni Constituency,
   KISAUNI - SUB COUNTY.
3. The Member Of County Assembly,
   Bamburi Ward,
   BAMBURI.
4. County Commissioner,
   Mombasa County,
   MOMBASA.
5. Director Land Administration,
   Ministry of Lands,
   MOMBASA OFFICE.
6. Secretary,
   County Land Management Board,
   MOMBASA.

RESIDENTS LAND PROTECTION ORGANIZATION OF KENYA - NGO

Tel: 020 2061029 Cell Phone: 0734 536611 or 0712 127345
Email: residentslandprokenya@gmail.com

01-08-2024

OUR REF:-RLPO/K/ DJMN/NC/0/2024
THE CHAIRMAN PERSON
OF THE COMMISSION ON ADMINISTRATIVE JUSTICE
OFFICE OF THE ABBDULSWAMAN
P.O BOX 20414-00200
NAIROBI

Dear Sir/Madam,

URGENT MATTER

RE: ADVERSE PROSSESSORS COMPLAIN OF THEIR LAND TRANSFERRE TO GEMA COMMUNITY ON 23RD APRIL 2016 BY THE FORMER NATIONAL LAND COMMISSION CHAIRMAN DR. MUHAMMAD.A.SWAZURI .

IN THE MATTER OF:-PARCEL NO. 360 /11/MN.

IN THE MATTER OF: - RESIDENTS HISTORY SINCE THE YEAR 1901.

I take this opportunity once again to report to your honoured office Complainant grouse that referred to me on Monday 29th July 2024,they say that Contradiction between residents who are recognized by our Kenya Government Laws being ADVERSE POSSESSOR having resided many years in the land.Since time immemorial 1901. I refered the same complain to the former National Land Commission Dr. Mohammad A.Swazuri on May 20th, 2016 ref, RLPO/K/ DJMN/NC/0/2016

In the year 20th May 2016 I wrote to the former Chairman National Land Commissioner Dr. Mohammed Swazuri after he came at MOMBASA April 2016 and told residents that he was going to give Locals 1000 acres of land and give 3320 acres of land to Gema Community his pronunciation did astonished residents bearing in mind that land is occupied with over thousands family members. The time the land was transferred 23rd April 2016 to Gema Community now Thathing they were not in the Land. The land is full developed by the residents, primary and secondary school, Churches, Mosques and other development.

Resident started residing in the land KASHANI the year from 1901's till to date Kashan plot 360 has over thousands people who are living legality. Now as per our Kenya Country Laws stipulated in THE LIMITATION OF ACTION ACT CAP 22 LAWS OF KENYA which is very clear and self-explanation. Section 7, 17 & 38 also the same has been stipulated by The Kenya High Court of Appeal

kindly refer copy of The Limitation of Actions Acts CAP 22 Laws of Kenya attached for the easy of reference.

Section 7 provides – that an action may not be bought by any person to recover Land after the end of twelve years from the date on which the right of action accrued to him or if it is first accrued to some person through whom he claims, to that person, Cast elders who lost life because of seeking ranson like the Late Ronald Ngala Karisa Maitha who stood firm Protecting Coast Region Land were unfortunately died before recovering Lands grabbed the issue marked Coast people being called squatters. No one is a squatter in his own born land who lived forover 12 years.

THE ISSUING OF TITLE DEEDS TO INDIVIDUAL

The Kenya Government Ministry of Lands never instituted Land education program to educate Locals how to define Kenya Lands and how to get their land Titles and there has never been Public Participation on land issue since Ministry of Agriculture do educate locals how to prepare their lands, Ministry of Health do educate locals how to care for their family, veterinary also but not with the Ministry of land why? Till today we ask that question, no answer we get from the Government. This is what is causing Land grabbing corruption in the country.

A SECRET MEETINGS BEING DONE BY THATTHIN INVESTMENT AND FEW MEMBERS OF THE COMMUNITY OIN THE OFFICE MOMBASA IS OF DOUBT

Residents complain that few members of Community have been sharing meeting with Thathin member without the knowledge of al; other members the issue now causing enmity in the area of Kashani, others say there is enemy between Thathin members and few members of the community, the issue that has made Kashani residents to seet redress.

THE LAND KASHANI PLOT 360 SECTION 2 MIN. WAS TRANSFAREED ON 12/7/1979 TO THATTHIN DEVELOPMENT COMPANY P.O BOX 83261 MOMBASA AS LEASE HOLD, ON 30TH DECEMBER 1985 THE LAND WAS TRANSFERRED AS FREE HOLD WITHOUT RESIDENTS KNOWLEDGE.

I am asking The Directors of Thathing Development Company during the period of transferring the said portion of the land did the land control Board issued Letter of consent and if yes what special condition of approval of transfer given? The Land has people in who lived since time immemorial before Kenya got independence 1963. Land Control Board was there since 1968 no land could have be transferred without the approved of the board. I have attached herewith a copy of the Land Control Regulations for the easy of reference. Whatever it has done by the Ministry of Land with Thathin members is done without following the process of the Laws here they are dealing with residents who are fully covered by the Laws The Limitations of Action Acts CAP 22 Laws of Kenya Section 7, 17 & 38. They are Adverse Possessors stayed in a piece of

Land uninterrupted since they started residing in the land 1901 the land they inherited from their fore fathers.

THATHIN members Claims to have taken Adverse Possession on the paper on the land they are Adverse Possessors who are now lawfully owners of the lands. And there is no way they can be removed by anyone claiming adverse possession even Titles being held by Thathin members for the land in question they have been challanged by Adverse Possessors Laws. Thathin have no Land at Kashani and if there is any one of Thathin member occupied the said land then is against the Limitation of Action Acts CAP 22 Laws of Kenya Land and not only the Title Deeds they are holdings since they are issued after (12) years, they have not occupied the plots then those title have expired refer the Limitation of Action Cap 22 Laws of Kenya Section 17.

I have attached herewith copy of The Limitation of Action Acts CAP 22Laws of Kenya for reference. Also attached here is copy of Land Control Regulation 1968 kindly refer.

Also copy of STATEMENT OF SITUATION please refer whatever is being done by Thathin Development members. It is against the Law as stipulated here above.

The Ministry of Lands and National Land commission to cancelled all Titles being held by Thathin members of the land Kashani PLOT, NOS, 360, /11/MN and instead Title Deed to be issued to residents who are in the Land and recognized by the Law being Adverse possessors who have resided in the land since time immemorial 1901 and have the right to retain their Land No. 360/11/MN. We follow that the Kenya Laws says.

Please kindly intervene and refer the Kenya Country Laws Stipulations as started in the attached Copy of The Limitation of Action Acts CAP 22 Laws of Kenya.

We remain to hearing from you soon.

God Bless you and the work of your hands forever.

Yours Faithfully

Residents Land Protection Org. of Kenya

Dwelly J.M.Nyambu S.E.H.S (D) UK

National Chairman and founder.

C.C

1. The Ministry Lands, Housing and Urban Development
   P.O BOX 30450-00100
   Nairobi

2. The Chairperson
   National Land Commission
   P.O BOX 44417-00100
   Nairobi.

3. The National Land Commission Office
   Mombasa branch
   C/O P.O BOX 90424
   Mombasa.

4. The Chief Land Registrar Nairobi
   P.O BOX 30450-00100
   Mombasa

5. The Principal Land Registrar
   P.O BOX 80053
   Mombasa.

6. The Regional Commissioner Coast Region
   P.O Box 90424
   Mombasa

7. The Regional Commander Coast Region
   P.O Box 90114
   Mombasa

8. The O.C.S Kiembeni Police Station
   C/O P.O BOX 90114
   Mombasa

9. The Office of the President State House
   P.O Box 40530-00100
   Nairobi.

10. The Commission Administration Justice
    (Office of the Abdulswaman)
    Mombasa.

11. The Parliamentary Service Commission
    P.O BOX 41842-00100
    Nairobi.

12. The National Council for Law Reporting
    P.O Box 30420
    Nairobi.

13. The Director Medial Council of Kenya
    P.O Box 43132-00100
    Nairobi.

14. The Director Thathini Development Co.Ltd.
    P.O Box 83261
    Mombasa.

15. The Chairperson Ethics Anti-Corruption Commission (EACC)
    P.O Box 61130-00200
    Nairobi.

16. The Chairperson
    Kenya National Commission on Human Rights (KNCHR)
    P.O BOX 74359 -00200
    Nairobi

17. The C.I.D Office Head quarter
    C/O P.O Box 90114 Mombasa

18. The County Commissioner
    Kisauni Sub-County of Mombasa County Government.
    P.O Box 28
    Kengeleni.

19. The Deputy County Commissioner
    Kiembeni Office
    C/O P.O Box 28
    Kengeleni.

20. The Senior Chief –Jeremiah Tsuma Machache
    Bamburi Location
    C/O P.O Box 28
    Kengeleni.

21. The Assistant Chief Madam Rehema
    Kashani Box 28
    Kengeleni

22. The Assistant Chief Mr .Hakika Jacob
    Majaoni Sub-Location
    P.O Box 28
    Kengeleni.

23. The Senior Area Village Elder
    Kashani Mr.John Pondera Munga
    P.O Box 28
    Kengeleni.

24. The Area M.P Hon. Rashid Bed Dzimba
    P.O Box 81599-80100
    Mombasa.

25. The Area M.C.A Hon.Patrick Mbele
    C/O P.O Box 81599-80100
    Mombasa.

26. The Senator Hon. Mohamed Faki
    Mombasa County Government
    P.O Box 81599-80100
    Mombasa

27. Complainants.

GANDINI SAUTI MOJA COMMUNITY

KISAUNI, MOMBASA.

DATE: 18 AUGUST, 2024

TO:

MR. GABRIEL TELLA

FORMER CHAIRMAN

DISSLOVED GAMAKA COMMITTEE

GANDINI –MWAKIRUNGE

MOMBASA COUNTY

TO:

MR. ZERO MWANGEKI

FORMER MEMBER

DISSOLVED GAMMAKA COMMITEE

GANDINI-MWAKIRUNGE

MOMBASA COUNTY

TO:

MRS. LUCY SADA

FORMER MEMBER

DISSOLVED GAMMAKA COMMITEE

GANDINI-MWAKIRUNGE

MOMBASA COUNTY

TO:

MR.JUSTUS KOMBO

FORMER MEMBER

DISSOLVED GAMMAKA COMMITEE

GANDINI-MWAKIRUNGE

MOMBASA COUNTY

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GANDINI SAUTI MOJA COMMUNITY

KISAUNI, MOMBASA.

DATE: 18 AUGUST, 2024

TO:

MR. GABRIEL DELLA

FORMER CHAIRMAN

DISSOLVED GAMAKA COMMITTEE

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DISSOLVED GAMMAKA COMMITTEE

GANDINI-MWAKIRUNGE

MOMBASA COUNTY

TO:

MR.JUSTUS KOMBO

FORMER MEMBER

DISSOLVED GAMMAKA COMMITTEE

GANDINI-MWAKIRUNGE

MOMBASA COUNTY

TO:

MR.MWACHIBUA MURIRA

FORMER MEMBER

DISSOLVED GAMMAKA COMMITEE

GANDINI-MWAKIRUNGE

MOMBASA COUNTY

TO:

MR.NICHOLAS KATANA

FORMER MEMBER

DISSOLVED GAMMAKA COMMITEE

GANDINI-MWAKIRUNGE

MOMBASA COUNTY

Dear Sir/ Madam,

RE: DISSOLUTION OF GAMAKA CBO AND TERMINATION OF SERVICES OF ALL GAMAKA COMMITTEE MEMBERS

I hope you are all fine. On behalf of Gandini Sauti Moja residents, I wish to bring to your attention that GAMAKA CBO was dissolved. This was a unanimous resolution made by over two thirds of all Gandini residents in a general meeting held on sun the 21st July 2024 at 5pm.

Following or in line with the dissolution of the GAMAKA CBO, which we formed ourselves in the year 2017, all your services as GAMAKA committee members have already been terminated. You are therefore not supposed to impose yourself and represent a GAMAKA CBO which does not exist as you have been doing.

Some of the reasons which made Gandini residents to come up with this decision are as follows:

1. The former GAMAKA committee, of which you were a member, failed in organizing annual general meetings as per article 10 section3 of our constitution. This would have helped us to analyze the general performance of our CBO on a yearly basis.
2. The committee failed to organize emergency meetings to notify the members of any urgent matter concerning them.eg the issue of demarcation of 20ha to be given to a one known as Kennedy Wekesa., a sale of a portion of Our Gandini land,(2acres) to Kennedy Wekesa and the very GAMAMAKA officials signing the fake agreement letter as witnesses.
3. Being illegally in office and illegally transacting on behalf of GAMAKA residents, against GAMAKA CBO constitution. As per the GAMAKA CBO constitution (article13 clause i, ii and iii), the committee members are supposed to serve for a period of three years after which they MUST convene an annual general meeting for an election. They never called for such

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MR.MWAKIRUNGE MUKRA

FORMER MEMBER

DISSOLVED GAMMAKA COMMITTEE

GANDINI MWAKIRUNGE

MOMBASA COUNTY

TO

MR. NICHOLAS KATANA

FORMER MEMBER

DISSOLVED GAMMAKA COMMITTEE

GANDINI MWAKIRUNGE

MOMBASA COUNTY

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meeting in the year 2020 and the year 2023. They just continued to hold office unelected and making secret dirty deals with THATHINI and others.

4. The GAMAKA committee started collaborating with THATHINI and THATHINI agents to make resolutions, sales agreements, etc in favor of THATHINI Company, without any legal advice or consulting/notifying GAMAKA residents.

In view of the above reasons besides others, you are therefore:

1. NOLONGER recognized as a committee member or an official of GAMAKA CBO (now dissolved),

2. NOT an official or representative of Gandini Sauti Moja residents,

3. NOT SUPPOSED to make any transaction on behalf of Gandini Sauti Moja residents,(NB: any transaction made by you on behalf of Gandini residents shall be considered illegal and subject to your prosecution).

4. In addition to you being terminated from the dissolved GAMAKA committee, the Gandini residents have also REJECTED and TERMINATED ALL the services of the following WAZEE/MAMA MTAA in Gandini area:

Mr.Justus Kombo- Nguutatu east

Mrs.Lucy Sada- Zanikeni

Mr. Zero Mwangeki- Gandini

Mr. Mwachibua Murira

Mr. Nicholas Katana

NOTE: You must not make any transaction as a MZEE WA MTAA or MAMA MTAA in Gandini area-the Gandini residents have no faith in you any more, due to your betrayal activities.

On behalf of Gandini Sauti Moja residents,yours faithfully,

MR.PETER TARAZA NDUNE-CHAIRMAN..... 0706684461

MISS NANCY GOE-TREASURER..... 0724461[illegible]

MR.SIMON PETER SECRETARY..... 0729922[illegible]

REV.DAVID CHIFALU-MEMBER.....

MR.SAIDI MGALA-MEMBER..... 0781093740

MR.USTADH HUSSEIN ALI –MEMBER..... 0720622011

GANDINI SAUTI MOJA COMMUNITY
Sign:
Date: 4666 39

CC:

AREA CHIEF

MWAKIRUNGE LOCATION

CC:

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On behalf of Gandini Sauti Moja residents,yours faithfully,

MR.PETER TARAZA NDUNE-CHAIRMAN.....

MISS NANCY GOE-TREASURER.....

MR.SIMON KETER SECRETARY.....

REV.DAVID CHIFALU-MEMBER.....

MR.SAIDI MGALA-MEMBER.....

MR.USTADH HUSSEIN ALI –MEMBER.....

CC:

AREA CHIEF

SUBLOCATION

CC:

KASHANI 360 RESIDENTS CBO

P.O BOX 41141 – 80100,

Mobile No. +254713654712/+254786966860,

Email: kashani360residents@gmail.com,

KISAUNI - MOMBASA.

27/09/2024

RECEIVED.

MEMBER OF THE COUNTY ASSEMBLY
P. O. Box 90141 - 80100
Date: 8/10/24
Sign:
BAMBURI WARD

OUR REF; KR/ADM/L/05/09/2024

THE DEPARTMENT OF SOCIAL DEV.,

KISAUNI SUB-COUNTY,

P.O. BOX 156 – 80122,

KENGELENI,

MOMBASA COUNTY.

Received 8/10/2024

Received
8/10/2024

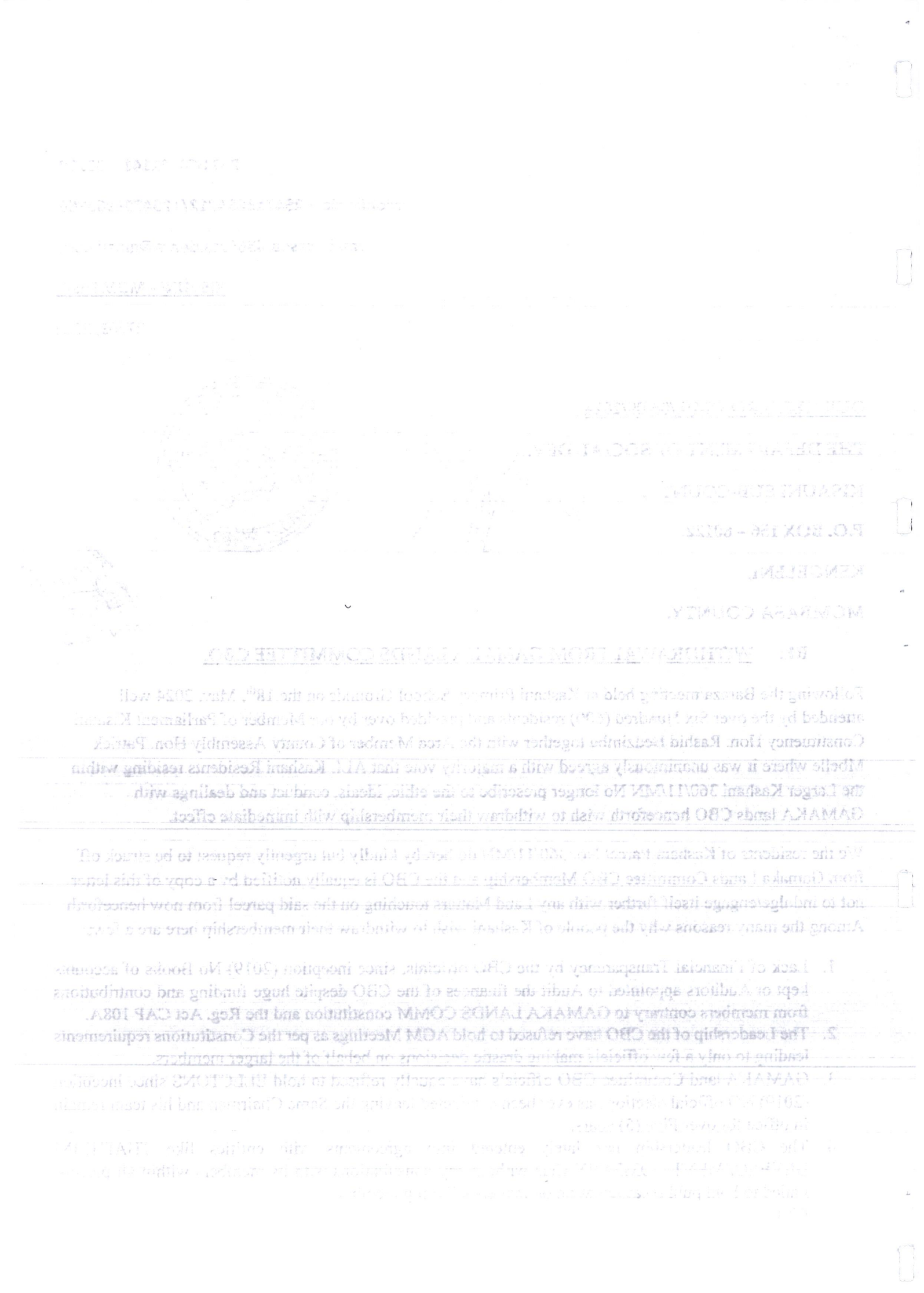
RE: **WITHDRAWAL FROM GAMAKA LANDS COMMITTEE CBO.**

Following the Baraza/meeting held at Kashani Primary School Grounds on the 18th, May, 2024 well attended by the over Six Hundred (600) residents and presided over by our Member of Parliament Kisauni Constituency Hon. Rashid Bedzimba together with the Area Member of County Assembly Hon. Patrick Mbelle where it was unanimously agreed with a majority vote that ALL Kashani Residents residing within the Larger Kashani 360/11/MN No longer prescribe to the ethic, ideals, conduct and dealings with GAMAKA lands CBO henceforth wish to withdraw their membership with immediate effect.

We the residents of Kashani Parcel No. 360/11/MN do hereby kindly but urgently request to be struck off from Gamaka Lands Committee CBO Membership and the CBO is equally notified by a copy of this letter not to indulge/engage itself further with any Land Matters touching on the said parcel from now henceforth. Among the many reasons why the people of Kashani wish to withdraw their membership here are a few;

1. Lack of Financial Transparency by the CBO officials, since inception (2019) No Books of accounts kept or Auditors appointed to Audit the finances of the CBO despite huge funding and contributions from members contrary to GAMAKA LANDS COMM constitution and the Reg. Act CAP 108A.
2. The Leadership of the CBO have refused to hold AGM Meetings as per the Constitutions requirements leading to only a few officials making drastic decisions on behalf of the larger members.
3. GAMAKA land Committee CBO officials have equally refused to hold ELECTONS since inception (2019) NO official election has ever been conducted leaving the Same Chairman and his team remain in office for over Five (5) years.
4. The CBO leadership has lately entered into agreements with entities like THATHI-INI DEVELOPMENT COMPANY LTD without any consultations with its members within all parcels. Failed to hold public participation on matters affecting members.

P.T.O



5. The Gamaka Lands officials have been involved with lots of falsification of documents doctoring list of people purporting to be members supporting a non- consultive (ADR).
6. The Leadership of Gamaka Lands Committee contrary to the provisions of the Reg. Act Chapter 108A has failed to file reports to the Social Serv. Dept. such as, Groups Activities, Financial affairs, Members List choosing to operate like a briefcase CBO.
7. The Multiple Chairmanship of More than Three (3) CBO's Kangumbo, Gamaka Farmers, Gamaka Lands etc by Mr Gabriel Tella. Within the same Jurisdiction, with similar Aims and objectives has led to conflict of interest and poor performance.

Clearly the Kashani Residents do not feel safe or well represented by such an outfit and as such have willingly chosen to seek alternative representation elsewhere and more specifically by KASHANI 360 RESIDENTS CBO. We the people of KASHANI 360/11/MN who recorded their dissenting voices before the National Lands Commission taskforce sitting at Bandari on their Historical Land injustice claim No. **NLC/HLI/828/2021** have no business being led by such unlawful CBO hence reiterate our withdrawal position.

Yours Faithfully,

KASHANI 360 RESIDENTS CBO,

CHAIRMAN

CORNELIUS KATANA.

SECRETARY.

DAVID NGUZO.

CC: -

1. The Regional Coordinator,
   National Lands Commission,
   MOMBASA COUNTY.

2. The Member of Parliament,
   Kisauni Constituency,
   KISAUNI - SUB COUNTY.

3. The Member Of County Assembly,
   Bamburi Ward,
   BAMBURI.

4. The Deputy County Commissioner,
   Kisauni Sub-County,
   MOMBASA COUNTY.

5. Area Chief,
   Bamburi Location,
   BAMBURI DIVISION.

6. The Chairman,
   GAMAKA Lands Committee,
   MOMBASA.

COUNTY GOVERNMENT OF MOMBASA
Chief Of Staff

Ref: MsaCG/Land/1/Vol.X/85 **Date:** 9th May, 2023

Hon. Patrick Mbele
Member of the County Assembly,
Bamburi Ward,
MOMBASA COUNTY

Dear Mheshimiwa,

RE: DISCUSSION ON OWNERSHIP ON GAMAKA LAND WITH KASHANI ELDERS

Receive greetings from the office of H.E the Governor.

The above matter refers.

You are hereby invited for a meeting on **Thursday 11th May, 2023** at **2:00pm** at the Governor's Office, Elimu Mazingira Building regarding the above mentioned issue.

I look forward to a fruitful engagement.

The County Government of Mombasa wishes to take this opportunity to renew to yourselves assurances of our highest consideration.

Yours faithfully,

COUNTY GOVERNMENT OF MOMBASA
OFFICE OF THE GOVERNOR
P.O. BOX 90440 - 80100, MOMBASA

Dr. Noah Akala, MBS
MOMBASA COUNTY

CC: County Secretary

KASHANI RESIDENTS,

C/O KASHANI PRIMARY SCHOOL,

P.O. BOX 41141 -80100,

MOMBASA.

DATE: 23rd, March, 2024.

THE AREA CHIEF,

MR. J. MACHACHE,

BAMBURI LOCATION,

MOMBASA.

DEAR SIR,

RE: A PARTITION FOR A HISTORICAL LAND INJUSTICES

CLAIM NO. NLC/HLI/828/2021.

Following the ongoing deliberations between ourselves and the National lands Commission taskforce currently conducting physical hearings at Bandari College in Mombasa County, we are under instructions to provide to the taskforce the following;

1. A comprehensive list of ALL residents currently residing within Kashani PLOT NO. 360/11/MN.
2. Do a public participation to allow the people of the larger Kashani (the descendants of Kashani) own the process of partitioning the National Lands Commission to deliberate on their historical Land injustices claim and give a just verdict they have waited for years.

It is for this reason that we wish to notify your good office that we wish to hold a small stakeholders meeting tomorrow the 24th, March, 2024 at Kashani Water (Matangini Grounds) as from 2.00pm till 4.00pm to enable us strategies on how we shall gather the above information ready for submission on Monday morning the 25th, March, 2024 to the Taskforce. Copies of our invitations for these hearings are attached herewith for ease of your reference.

Yours Faithfully,

KASHANI RESIDENTS,

SECRETARY.

DAVID NGUZO. (0716896933)

KASHANI 360 RESIDENTS,

P.O BOX 41141-80100,

MOMBASA.

10th, May, 2024.

THE HON. RASHID BEDZIMBA,

MEMBER OF PARLIAMENT,

KISAUNI CONSTITUECY,

KISAUNI SUB-COUNTY,

MOMBASA COUNTY.

Dear Sir,

RE: APPOINTMENT TO SPEAK TO YOU.

We the undersigned are the representatives of Kashani 360 Residents who resides within the larger Kashani villages famously known as Plot No. MN/11/360 i.e. Kashani Central, Krasha, Kimbunga, Florida, Amani, Milimani, Mikanjuni, Mtsemerini, Baharini, Mzalendo in Bamburi ward, Kisauni –sub County, Mombasa County.

We write seeking for your audience on matters of great concern affecting the lives of the common Kashani residents calling for immediate and urgent attention. As such we collectively wish to schedule for a meeting with you in your Honorable office to discuss these matters in full details.

We shall highly appreciate your earliest appointment date for this meeting in full view and knowledge of your busy schedules and availability.

Thanking you in Advance as we look forward for your response at the earliest possible time.

Yours Faithfully,

RECEIVED
P. O. Box 87910 - 80100, MOMBASA

1. **Mr. Cornelius M. Katana.**	**0724147265.**	.....
2. **Mr. Onesmus H. Chome.**	**0713773090.**	.....
3. **Mr. David N Ngala.**	**0716896933.**	.....
4. **Mr. Kazungu Chengo.**	**0790115267.**	.....
5. **Md. Anjelina Garama.**	**0721337838.**	.....
6. **Md. Nancy Kalume.**	**0704601497.**	.....
7. **Mr. Joel Kerama.**	**0722346729.**	.....

KASHANI RESIDENTS ASSOCIATION (KARE),

P.O BOX 210-80100,

MOMBASA.

21st, March, 2023.

THE HONORABLE (PATRICK MBELLE),

MEMBER OF COUNTY ASSEMBLY (BAMBURI WARD),

BAMBURI – KISAUNI SUB-COUNTY,

MOMBASA.

Dear Sir,

RE: MEETING APPOINTMENT REQUEST.

We the undersigned, residents of Kashani Village, Bamburi ward, Kisauni –sub County within the large Mombasa County write to schedule for a meeting with you in your office to discuss an issue of great concern to us and our future generations (Kashani Land Parcel No. 360).

While we recognize and appreciate the good works/strides made by our local grassroots leader's i. e GAMAKA, KANGUMBO with the help of our previous government offices both at the County and National levels, we strongly believe that much needs to be done soberly, peacefully and collectively to ultimately achieve our Land Title. We hope to share with you our idea on a specific priority path that with your support and that of the entire Assembly upon which you are our representative a win/win situation to this matter shall finally and soon be found.

If you do not have a specific time confirmed for us, we propose to arrange for the earliest appointment possible with you on the 31st, March, 2023 at 3.00pm, but we await to be guided by your goodself.

Thanking you in Advance,

Yours Faithfully,

1.	**Mr. Mathews Oyule.**	**0724147265.**	.....
2.	**Mr. Cosmus Kalama.**	**0713773090.**	.....
3.	**Mr. Nguzo Ngala.**	**0716896933.**	.....
4.	**Md. Angelina Garama**	**0721337838.**	.....
5.	**Md Fatuma Said.**	**0714248378.**	.....
6.	Md. Mwanaidi Kombo.	0705491978.	.....

MEMBER OF THE COUNTY ASSEMBLY
P. O. Box 90141 - 80100
Date: 27/3/23
Sign:

Received by

REPUBLIC OF KENYA

BEFORE THE NATIONAL LAND COMMISSION AT MOMBASA

CLAIM NO.....

NLC/HL.I/828/2021

ARISING FROM HISTORICAL LAND INJUSTICE,

BETWEEN;

RESIDENTS OF KASHANI.....COMPLAINANTS

AND

1. **COUNTY GOVERNMENT OF MOMBASA**
2. **ATTORNEY GENERAL OF THE REPUBLIC OF KENYA**
3. **HON CS, MINISTRY OF LANDS & PLANNING**
4. **THATINI DEVELOPMENT COMPANY LTD**

RESIDENTS OF KASHANI/COMPLAINATS'

WRITTEN SUBMISSIONS

Introduction;

1. The land in issue was formally registered as ***Kashani Parcel Number 360/11/MN, measuring 917 hectares*** which situate in Bamburi location, Kisauni sub-county within Mombasa County.

2. The Residents are claiming that their land rights were / and have been violated by the government of the Republic of Kenya through its agencies, administrators and public officers to the extent that it has deprived them of their ancestral land and proceeded to settle other people on their land and ignoring their presence to-date.

3. These violations, the residents state that they have attempted to resolve them through internal mechanisms, consultations with the former provincial administration, land offices and even escalated the complaint to the office of the president and to-date the violation subsists.

IN THE ENVIRONMENT AND LAND COURT AT MOMBASA

PETITION NO. E001 OF 2021

IN THE MATTER OF ARTICLES 22, 23, 40, 47, 60, 61, 63, 64, 67, 69, 70 AND 159 OF THE CONSTITUTION OF KENYA 2010

AND

IN THE MATTER OF ALLEGED VIOLATION OF THE RIGHTS TO PROPERTY, FAIR ADMINISTRATIVE ACTION, ACCESS TO JUSTICE AND ENVIRONMENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3925 TO THE 3RD RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3926 TO THE 4TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3927 TO THE 5TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3928 TO THE 6TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3929 TO THE 7TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3930 TO THE 8TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3931 TO THE 9TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3932 TO THE 10TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3933 TO THE 11TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3934 TO THE 12TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3935 TO THE 13TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3936 TO THE 14TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3937 TO THE 15TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3938 TO THE 16TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3939 TO THE 17TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3940 TO THE 18TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3941 TO THE 19TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3942 TO THE 20TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3943 TO THE 21ST RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3944 TO THE 22ND RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3945 TO THE 23RD RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3946 TO THE 24TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3947 TO THE 25TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3948 TO THE 26TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3949 TO THE 27TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3950 TO THE 28TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3951 TO THE 29TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3952 TO THE 30TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3953 TO THE 31ST RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3954 TO THE 32ND RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3955 TO THE 33RD RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3956 TO THE 34TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3957 TO THE 35TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3958 TO THE 36TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3959 TO THE 37TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3960 TO THE 38TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3961 TO THE 39TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3962 TO THE 40TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3963 TO THE 41ST RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3964 TO THE 42ND RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3965 TO THE 43RD RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3966 TO THE 44TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3967 TO THE 45TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3968 TO THE 46TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3969 TO THE 47TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3970 TO THE 48TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3971 TO THE 49TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3972 TO THE 50TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3973 TO THE 51ST RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3974 TO THE 52ND RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3975 TO THE 53RD RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3976 TO THE 54TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3977 TO THE 55TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3978 TO THE 56TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3979 TO THE 57TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3980 TO THE 58TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3981 TO THE 59TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3982 TO THE 60TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3983 TO THE 61ST RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3984 TO THE 62ND RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3985 TO THE 63RD RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3986 TO THE 64TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3987 TO THE 65TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3988 TO THE 66TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3989 TO THE 67TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3990 TO THE 68TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3991 TO THE 69TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3992 TO THE 70TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3993 TO THE 71ST RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3994 TO THE 72ND RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3995 TO THE 73RD RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3996 TO THE 74TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3997 TO THE 75TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3998 TO THE 76TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/3999 TO THE 77TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/4000 TO THE 78TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/4001 TO THE 79TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/4002 TO THE 80TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/4003 TO THE 81ST RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/4004 TO THE 82ND RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/4005 TO THE 83RD RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/4006 TO THE 84TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/4007 TO THE 85TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/4008 TO THE 86TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/4009 TO THE 87TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/4010 TO THE 88TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/4011 TO THE 89TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/4012 TO THE 90TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/4013 TO THE 91ST RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/4014 TO THE 92ND RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/4015 TO THE 93RD RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/4016 TO THE 94TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/4017 TO THE 95TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/4018 TO THE 96TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/4019 TO THE 97TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/4020 TO THE 98TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/4021 TO THE 99TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/4022 TO THE 100TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/4023 TO THE 101ST RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/4024 TO THE 102ND RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/4025 TO THE 103RD RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/4026 TO THE 104TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/4027 TO THE 105TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/4028 TO THE 106TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/4029 TO THE 107TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/4030 TO THE 108TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/4031 TO THE 109TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/4032 TO THE 110TH RESPONDENT

AND

IN THE MATTER OF ALLEGED ILLEGAL, UNLAWFUL AND UNCONSTITUTIONAL ACTIONS BY THE RESPONDENTS IN ALLOCATING, ALIENATING, DEALING WITH AND DISPOSING OF PARCEL NUMBER KILIFI/MARIAKANI/4033

4. Accordingly, on 20th September 2021, the residents of Kashani formally lodged the claim before the NLC pursuant to the provisions of Article 67 (2) of the Constitution of Kenya 2010 and Sections 6 and 15 of the National Land Commission (NLC) Act.

Background and facts of the Historical Injustice;

5. It is historically documented that in the year 1886, Britain and Germany entered a pact, which outlined their spheres of influence in East Africa. Noting the key position of the sultan of Zanzibar, both European powers agreed to allocate him the famous ten mile coastal strip that stretches from Kipini to Ruvuma River.

6. It is also a historical fact that costal land within Mombasa County fall within the ten mile strip and the land in issue is domiciled in the same jurisdiction.

7. It is a historical fact that the colony and protectorate of Kenya was established on or around June, 1920, when the territories of the former East Africa Protectorate (except those parts of the Protectorate over which His Majesty the Sultan of Zanzibar had sovereignty) were annexed by the UK.

8. It is also true that the ownership of land within the Kenya's coastline has been a matter of contention since the Sultan of Zanzibar officially signed it away in 1963. The claims for secession are often accompanied by the history of the great Zanzibar sultanate which once stretched to what is today the Kenyan coastline, and in this case, the same violence has been witnessed in the disputed land (Kashani), ***(See annexure of documents attached, from pages 41 to 47)***

9. Further, it is also equally a historical fact that the Mijikenda Communities arrived at the coastal region sometimes in the 16th Century and by inference, both the government of British Protectorate and Omani of Arabs were established much later, and after the Mijikenda Communities had already settled in the Coastal region where the land in issue is domiciled.

10. It is also a historical fact that the Republic Kenya was also established on 12th December, 1963 after the said communities had already established themselves within the coastal region and they were already in occupation on the land in issue.

The Residents of Kashani Land Dispute Claim / Case;

11. Pursuant to the past was assigned the jurisdiction of 10-mile strip along the costal line, they involved in slave trade and forced labour which pushed the Residents of Kashani outside the 10-mile strip and later on this land was registered in the names of the families of Arabs who were trading around the coastal region. Those registrations of land within the 10 – mile strip were executed by the government of the sultan of Zanzibar, then. Even after the independence, the government did not correct the historical injustices, but still allowed the Mazrui Arabs to claim ownership of the 10-mile strip and register the whole of the land in the names their families.

12. Further, it their case that when the British was in power it further alienated them by enacting land laws which Affected Them Directly, So These Include Land Acquisition Act, 1894, Crown-land Ordinance 1902, Crown-land Ordinance 1915, and the Kenya Native Areas Ordinance, 1926. The impact of these laws triggered the eviction of Mijikenda communities to facilitate the construction of Kenya Uganda Railways and other projects without compensation.

13. It is further their case that the British Protectorate under her Majesty, the Queen of England, leased more than 20% of their land to European settlers, and to be more specific, the land in dispute, was allocated to Herbert Payne and four others.

14. Further, it is stated that in 1947, the same land in issue, together with other land domiciled in Kilifi South were allocated to another European settler named Mr. Rice Mac John who forced the locals to rent from him the disputed land to any person who wanted to cultivate, and this further pushed the residents of Kashani outside the disputed land.

15. But it is still their case, that there were remnants who still remained on the disputed land and were born between the year 1900 and 1940, and whose names are as follows:-

    i) Mzee George Mavuo Ngao (Now deceased)
    ii) Charo Kapombe Chivatsi (Now deceased)
    iii) Kuchu Rimba Kalama
    iv) Malingi Thoya Sirya
    v) Toto Kifungo Kalama
    vi) Muhambi Kalina Chondo

16. Further, immediately after independence, the immediate family members who were residents of Kashani and who had run away, came back and occupied the land in issue.

17. We submit that majority of Kashani residents have been in occupation on land in issue for more than 60 years. They have developed the entire infrastructure on the land in dispute, roads, electricity, water and social amenities like schools, churches, mosques, markets and dispensaries and many others. It is submitted that the residents of Kashani have all along living on the land in issue to the extent that they have buried their loved ones on the same parcel of land as long as they have in occupation. ***(See annexure of documents attached, from pag37 to 40)***

18. It is their case that it came to their realization that this land which was formerly leased by her Majesty the Queen of England and registered in the name of Herbert Payne, was later transferred and registered in the name of Thatini Development Company Ltd together with other adjacent parcel of lands, thus, MN/II/546 & MN/II/829. This triggered violence and the former Chairperson of the National Land Commission, Prof Muhammad A Swazuri, being a resident of the coastal region informally intervened by involving and engaging parties in dispute and by his letter dated 6/5/2016, he wrote to the Chairman of the Land Administration Committee of the NLC, communicating his decision in which he suggested that the Thathi-ini Development Company Ltd do cede off 1000 acres to settle the squatters and that suggestion offended the Residents of Kashani, because they are not squatters, to-date, the said decision has not been implemented. ***(See annexure of documents attached, from pages 21 to 22).***

15. But it is still their case, that there were remnants who still remained on the disputed land and were born between the year 1900 and 1910, and whose names are as follows:

i) Mzee George Mayao Ngao (Now deceased)
ii) Charo Kapoirbe Cumatsi (Now deceased)
iii) Kuchu Rimba Katana
iv) Mahmat Choya Sirva
v) Toto Kurungo Kalama
vi) Muhambi Kalina Chondo

16. Further, immediately after independence, the immediate family members who were residents of Kashani and who had run away, came back and occupied the land in issue.

17. We submit that majority of Kashani residents have been in occupation on land in issue for more than 60 years. They have developed the entire infrastructure on the land in dispute, roads, electricity, water and social amenities like schools, churches, mosques, markets and dispensaries and many others. It is submitted that the residents of Kashani have all along living on the land in issue to the extent that they have buried their loved ones on the same parcel of land as long as they have in occupation. *(See annexure of documents attached, from pag37 to 40)*

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19. On letter dated 23rd September 2021, written by a CBO (Gamaka Community) coupled with that of Kashani Residents dated 24/9/2021, which was formed by the communities living in the 3 parcels (MN/II/546, MN/II/360 & MN/II/829), to the Regional Commissioner, NLC, of the coastal region, reiterating and opposing the terms of settlement which was suggested / proposed by the Chairperson, Thathiini Development Company Limited.

20. It is submitted that whereas this was/is pending determination before this forum, the land in dispute has been subdivided, allocated and registered in the names of persons who are not residents and / or who are unknown to Kashani residents. ***(See annexure of documents attached, from pages 84 to 86)***

21. For all practical purposes, Kenya fell in two separate jurisdictions and whereas the Constitution of Kenya 1963, provided for the devolution of lands held by the Crown and white settlers, the Omani of Arabs (Mazrui family) registered the whole of the 10-miles strip in the names of members of their families and thereby disinheriting the coastal communities of Mijikenda who were already in occupation of the 10-miles strip before the arrival of the Arabs and the British.

22. From the foregoing, and if this dispute is left unattended, unresolved, then, the Kashani residents will be unfairly, unlawfully been alienated, disinherited and displaced from their legitimate ancestral land by the County Government of Mombasa or the National Government of Kenya and which they are still in occupation.

Legal and Constitutional Exposition;

23. Even after independence which placed the 10-miles strip within the jurisdiction of the Republic of Kenya, there continues a lacuna in law on how to address the lands which were held by the government of Zultan of Zanzibar, and as a consequence, whereas, there was a clear devolution path for all lands which were held under the crown / government of her Majesty, the Queen of England, no clear laws were set in place to deal with those land along the 10-miles strip.

Legal and Constitutional Exposition;

24. Under sections 19 and 208 of the Constitution of Kenya 1963, and which was later amended in the year 1969, at section 115, the land rights remained the cardinal principle of the bill of rights as now spelled in Article 60 of the Constitution of Kenya 2010. Therefore, we submit that there was/is no express law providing for enjoyment of land rights, those rights still remain under the bill of rights and therefore exercisable by the Kashani Residents.

25. By the statement of Kashani Residents, the land in dispute was once leased to Herbert Payne and four others sometimes in 1940 and / or another Mr. Rice Mac John also sometimes in 1947 whichever is correct for a period of 99 years. By dint of the said date of the said lease, it ought to expire in the year 2046. It seems somewhere along the way and around the year before 2002, the lease seemed to have been revoked and the land was sold to Thatini Development Company Ltd and registered as freehold land tenure, retaining the same former land registration number (NM/11/360).

26. We submit that all lands which fell under lease were public lands, either under the control of the national government or local governments, and the instant land in issue seemed to have belonged to the local government and particular, the then Count Council of Mombasa. But, by the survey map complied and extracted in the year 2002, the land in issue changed from public to a private land.

27. Under Sections 117, 118 and 119 of the Constitution of Kenya, amended 1969, expressly provided for the procedures of disposing of a trust land to either the national government and / or for any other use. It is stated by the Kashani residents that they checked from the registrar of lands coastal region to find any evidence that the procedures were followed that they have found none. Complainants have expressed that these procedures are also provided under sections 7, 8, 9, 10, 11 and 12 of the Trust land Act (now repealed) and superseded by the Community Land Act.

28. The Kashani residents also state that without their knowledge and information, the same land seemed to have been declared an adjudication settlement area and several other communities have been settled in disregard that the Kashani residents have been continuously in occupation.

29. That Whereas, the land in issue had been subdivided, allocated and registered in the names of several people, since 2002 none of these registered owners have laid any claim and served any notice for eviction upon the residents in occupation to-date. Furthermore it seemed that Thathi-ini Development Company Ltd sold the land and / or subdivided the land and allocated to other people with residents in occupation without first declaring the land as vacant position. Therefore, even the purported proposal of hiving / giving out 1000 acres to Kashan residents was mischievous and a big a lie as the land in issue was already sub-divided, allocated and registered in individual names of faceless people.

30. As they have stated hereinabove, the residents of Kashani have been in continuous occupation on the disputed land, developing it for a period now exceeding 60 years, peacefully and undisturbed. Under **Articles 40, 60(1)(a)&(b) and 63(1) of the Constitution of Kenya 2010**. Further, under the Land Registration Act emphasizes that a right to the ownership of the land cannot be defeated on account that one is not a registered owner of the land in issue.

31. We submit that the burden of prove that all the constitutional and legal requirements were complied with during the transactions from the time when the land was a trust land / public land to the time when the same was transferred and moved to the private land, lies with the Thathi-ini Development Company Ltd, which is claiming to be the registered own the land in issue. Further, the local and National government bears the duty of care and to ensure that innocent Kenyans (The Residents of Kashani) are not deprived off of their land property.

32. Finally, position of the Kashani Residents is that the provisions of sections 115, 117, 118 and 119 of the Constitution of Kenya 1963, amended in 1969 (now repealed) and sections 7, 8, 9, 10, 11 and 12 of the Trust Land Act (now repealed) were not followed. In the circumstances, there is no valid certificate of registration as held by the Thatini Development Company Ltd and the successors in the land dispute, being the NM/11/360. And this position is reiterated by the ***"Advisory Brief" (Negotiating Access to Land by Squarters: Case of Gandini, Mauguja and Kashani Landa Mombasa County, Kenya) by Philip Olale of the University of Nairobi.***

In summary;

33. It is our most humble submission that the Residents of Kashani who in occupation and who will be affected by the decision of the NLC to hold that Thithi-ini Development Company Ltd is the legitimate owner of the land in issue are as follows:-

34. There are 3494 established homes with children and adults / families who are distributed against ten (10) Administrative Villages; Namely:-

i) Kashani Central.....366 H/H
ii) Kashani Milimani.....306 H/H
iii) Kashani Baharini.....220 H/H
iv) Kashani Mtsemerini.....396 H/H
v) Krasher Village.....276 H/H
vi) Kimbunga Village.....580 H/H
vii) Mzalendo Village.....376 H/H
viii) Florida Village.....850 H/H
ix) Mikanjuni Village.....240 H/H
x) Mdenderebkeni (Amani).....270 H/H

35. The hereinabove households constitute a population of 20,964 persons.

36. The Kashani Residents' Development levels are as follows:-

i) **Churches already established;**

Kilimani Baptist Church, Redeemed Gospel Church, Kenya Assemblies of God Church, Pentecostal Church of Kenya, Matendo Church of God, Light House Christ Church, Methodist Baptist Church, Jerusalem Revival Church, Glory Church Ministry, Furaha Jesus Ministry, Pentecostal Ministry Internal Church, New Life Baptist Church, Power in the Word Christian Church, Kashani Christ Church, St. James Anglican Church, Pendeza, Seventh Adventist Church, Victorious Chiurch, Pendeza, MadzombaniJilam Church, New Jerusalem Church, Catholic Church, Kashani, ACK Kashani .

ii) **Mosques already established;-**

Masjid Munawar, Voroni, Masjid Taqwar – Kashani, Masjid Noor – Krasha, Masjid Aquswa – Mdengerekeni, Masjid Qubaa / Madrasa Nguu Tatu, Rajaby, Busaray.

iii) **Public Schools already established;**

Kashani Primary School, Kashan Secondary School, Maunguja Primary School, Marimani Primary school - Nursery, Marimani Secondary School

iv) ***Community School established;***

Madzombani Community Primary School, Kibunga Community Primary School, Mdengereni Community Nursery School, Mdengereni Community Primary School, AIC Nursery School;

v) ***Private Schools established;***

Kilimani Academy Primary / Nursery School, St. Thomas Primary / Nursery School, Glory Primary / Nursery School, Baptist High School, Kashani Junior Secondary / Primary School, Neema Nursery School - Nguuni, Hope Nursery School – Mitendi.

vi) **Health Facilities / <u>Public Dispensaries;</u>**

- *Maunguja Health Centre, &*
- *Marimani Health Center*

iv) **Community School established;**

Madzomboni Community Primary School, Kibunga Community Primary School, Mdengwani Community Nursery School, Mdengwani Community Primary School, ATC Nursery School;

v) **Private Schools established;**

Kilimani Academy Primary / Nursery school, St. Thomas Primary / Nursery School, Glory Primary / Nursery School, Bupini High School, Kisiluni Junior Secondary / Primary School, Mvuna Nursery School - Mvuna, Hope Nursery School - Mkuredi.

vi) **Health Facilities / Public Dispensaries;**

- Mazinguo Health Centre, &
- Mgwisuni Health Centre

vii) **Health Facilities / Private Dispensary/Clinics;**

- *Mkwajuni Clinic,*
- *Juliana Medical Clinic, &*
- *Kashani Medical Clinic*

viii) **Orphanage Homes;**

- Shinning Children Home
- Pendo Children Home
- Furaha Jesus Ministry Childrens Home
- Baraka Children Home

ix) Other Economic Activities;

(a) **Agricultural Farming;**

- *Food Crop Farming,*
- *Cattle rearing,*
- *Poultry,*

(b) **Community Fish Ponds;**

- *Keshian Youth Fish Container Pond*

(c) **M-Pesa Shops;**

- Kashani M.Mpesa,
- Dany M.Mpesa,
- Lightning Bolt M.Pesa,
- Edwin Mwinga Mwadziwe M.Pesa,
- Issiah Mwaringa Ndune M.Mpesa,
- Nelson Gonzi Dena M.Mpesa

(d) **Posho Mills;**

- Milele Posho Mill,
- Dumbo Pposho Mill,
- Kashani Posho Mill,
- Haron Posho Mill,
- Mdengerekeni Posho Mill,
- Nelson Gozi Posho Mill,
- Mwinga Gonzi Posho Mill,
- Rajab Posho Mill

(e) **Quarry mining,**

(f) **Retail and Wholesale Businesses,**

(g) **Rentals**

(c) M-Pesa Shops;

- Kasbani M.Mpesa,
- Dany M.Mpesa,
- Lightning Bolt M.Pesa,
- Edwin Mwinga Mwadzive M.Pesa,
- Isaiah Mwaringa Ndune M.Mpesa,
- Nelson Gonzi Dena M.Mpesa

(d) Posho Mills;

- Mwinga Gonzi Posho Mill,
- Nelson Gozi Posho Mill,
- Mdemgereken Posho Mill,
- Hazon Posho Mill,
- Kasbani Posho Mill,
- Dumbo Posho Mill,
- Mwale Posho Mill,

(e) Quarry mining,

(f) Retail and Wholesale Businesses,

(h) ***Forests;***
- *Nguu Tatu Public Forest – 2*
- *Community Forest -5*
- *Maunguja Community Forest – 1*

(i) ***Earth Dum (Rain Water Harvest Funded by Baobab Trust Foundation***
- *Water Pans – Kashani – 26*
- *Water Pans – Maunguja – 1*
- *Water Pans – Gandini - 13*

(j) ***Bore-holes;***
- *Kashani – 15*
- *Maunguja – 4*
- *Gandini - 13*

37. From the enumerated development level within the Kashani Residents community, it is our submissions that the degree of prejudice will be too grave if the NLC will ignore all the facts and law regarding the land in issue in relation to Kashani Residents. We further submit that the Parcel of land being NM/11/360 is legitimately owned by the Kashani residents, and therefore, the existing registration certificate or certificates in respect of the same are invalid ab initio and ought to be cancelled.
38. The Claim dated 20th September 2021 and lodged before the NLC by the residents of Kashani is merited and the same be allowed in its entirety.
39. That all land registration certificate(s) registered in respect of the Parcel of land being NM/11/360, be cancelled and invalidated accordingly.
40. The Parcel of land being NM/11/360, be adjudicated in favour of residents who are in occupation therein.

YOUR HONOUR, we submit that the Residents of Kashani should be given back their ancestral land.

DATED at **NAIROBI** this ……*2nd*……day of ……*April*……2024

CHWERO & CO ADVOCATES,
ADVOCATES FOR, CLAIMANTS/COMPLAINANTS.

DATED at NAIROBI this ..... day of ..... April 2024

CHWEROT & CO. ADVOCATES

ADVOCATES FOR THE CLAIMANTS/COMPLAINANTS

DRAWN & FILED BY;

Chwero & Company Advocates,
Development House, 8th Floor, Rm 802,
Moi Avenue, P.O. Box 61693-00200,
Phone / Tel: 0720350470
Email: chweroadvocates@gmail.com
Nairobi.

TO BE SERVED UPON;

1. County Government of Mombasa,
   Mombasa

2. Hon Attorney General,
   Mombasa

3. Ministry of Lands Planning,
   Nairobi.

4. Thathi-ini Development Company Ltd
   Nairobi.

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

TO BE SERVED UPON:

1. County Government of Mombasa,
   Mombasa

2. Hon Attorney General,
   Mombasa

3. Ministry of Lands Planning,
   Nairobi.

4. Thatch-ni Development Company Ltd
   Nairobi.

[illegible]

[illegible]

REPUBLIC OF KENYA
BEFORE THE NATIONAL LAND COMMISSION AT MOMBASA
CLAIM NO.....
NLC/HL.I/828/2021
ARISING FROM HISTORICAL LAND INJUSTICE,
BETWEEN;

RESIDENTS OF KASHANI.....COMPLAINANTS

AND

1. **COUNTY GOVERNMENT OF MOMBASA**
2. **ATTORNEY GENERAL OF THE REPUBLIC OF KENYA**
3. **HON CS, MINISTRY OF LANDS PLANNING**
4. **THATINI DEVELOPMENT COMPANY LTD**

(INDEX)

No.	***Particulars of the Document***	***Page(s)***
1.	*True copy of the extract of the amendment of section 15 of National Land Commission (NLC) Act, 2011*	11 -11
2.	*True copy of the Letter from the NLC dated 3/3/2024 to Gamaka Land Committee CBO.*	12 - 12
3.	*True copy of the Letter from the NLC dated 3/3/2024 to Kashani Residents.*	13 - 13
4.	*True copy of the letter dated 14/3/2024 from Gamaki Land Committee CBO, to the Chairman NLC.*	14 – 14
5.	*True copy of the Letter from the NLC dated 6/2/2024 to Gamaka Land Committee CBO.*	15 - 16
6.	*True copy of the Letter from the NLC dated 6/2/2024 to Kashani Residents.*	17 - 18
7.	*True copy of the letter DATED 7/10/2021, from Kiembeni Police Station to the Chairman, Gamaka CBO.*	19
8.	*True copy of the letter dated 24/9/2021 from Kashani Residents to the regional coordinator, NLC, Coast,*	20
9.	*True copy of the letter dated 6/5/2016, from the NLC, to the Chairman, Land Administration Committee – NLC*	21 - 22
10.	*True copy of the Application dated 20/9/2021, made by Kashani Residents to the Chairman NLC in respect of land historical injustices.*	23 - 33
11.	*True copy of the letter dated 30/8/2019, from Thatini Dev Co Ltd to Juma Nzaro*	34 - 34
12.	*True copy of the letter dated 29/11/2016 from the Chief of Bamburi Location, addressed to Hon Joshua Kutuny, Director of President Advisor on Political affairs*	35 - 36
13.	*True copy of the pictures taken of the graveyards of Kashan Residents' kins / ancestors.*	37 - 40
14.	*Tension by the Residents over the dispute of over 917 hectares of Land, as was covered ny local media*	41 - 47
15.	*Pictures taken on the site in respect of land development and infrastructure on the land*	48 - 62
16.	*Research and Advisory Brief by True copy of Minutes/Attendance Register, dated 25/5/2019 in respect of formal establishment of Kenya Union of Special and Philip Olale, in respect of the 3 parcels of land's historical injustices.*	63 - 83
17.	*True copy of a survey map dated 2002, covering three parcels of land in dispute, being NL/11/360, NL/11/546 & NL/11/829*	84 - 86
18.	*True copy of the original map of Kashani residents, NL/11/360, before any subdivisions was made*	87 - 89
19.	*True copy of the extract of Historical Brief*	90 - 92

DATED at **NAIROBI** this.....*2nd*.....day of.....*April*.....2024.

CHWERO & CO ADVOCATES,
ADVOCATES FOR, CLAIMANTS/COMPLAINANTS.

DRAWN & FILED BY:
Chwero & Company Advocates,
Development House, 8th Floor, Rm 802,
Moi Avenue, P.O. Box 61693-00200,
Phone / Tel: 0720350470
Email: chweroadvocates@gmail.com
Nairobi.

DATED at NAIROBI this 2nd day of April 2024.

CHWERO & CO ADVOCATES,
ADVOCATES FOR, CLAIMANTS/COMPLAINANTS.

DRAWN & FILED BY:
Chwero & Company Advocates
Development House, 8th Floor, Rm 802
Moi Avenue, P.O. Box 61693-00200
Phone / Tel: 0726553170
Email: chweroadvocates@gmail.com
Nairobi.

NATIONAL LAND COMMISSION

National Land Commission, 316 Upperhill Chambers, 2nd Ngong Avenue, off Ngong Road
P.O. Box 44417 – 00100, *Nairobi-KENYA*, Tel: 0111042800, Email: info@landcommission.go.ke
Website: www.landcommission.go.ke

REF: NLC/HLI/828/2021/4

Date: 06/02/2024

KASHANI RESIDENTS
P.O BOX 41141- 80100
MOMBASA
TEL: 0726837626

OFFICE OF THE ATTORNEY GENERAL & DEPARTMENT OF JUSTICE
28 FEB 2024
CRMU
P.O. Box 40112, NAIROBI

DEPARTMENT OF LANDS
RECEIVED
TIME ... AM/PM
19/2/2024
MOMBASA

Dear Sir/Madam,

RE: KASHANI RESIDENTS - HLI CLAIM NO: NLC/HLI/828/2021

The above subject matter refers.

The above Historical Land Injustice claim which you submitted to the National Land Commission (NLC) is now under active investigation. In the course of the investigation, NLC has identified the following institutions/individuals as respondents in your claim.

Department of Lands, Planning & Housing
RECEIVED
19 FEB 2024
REGISTRY
County Government of Mombasa

1. Attorney General
2. Ministry of Lands
3. County Government of Mombasa
4. Thaltumi Dev. co. LD.

To enable the Commission to proceed with investigative hearings, you are requested to serve your claim to the above respondent and any other interested parties.

The Commission will appreciate receiving the evidence of service within the next 14 days from the date of this letter in order to finalize its investigations.

EDMOND GICHURU
FOR: SECRETARY/CEO
NATIONAL LAND COMMISSION

OFFICE OF THE ATTORNEY GENERAL
DEPT. OF JUSTICE
P. O. Box 82427 – 80100, MOMBASA
19 FEB 2024
CIVIL LITIGATION REGISTRY MOMBASA
RECEIVED
OFFICER: ... TIME: ...

RECEIVE UNDER PROTEST SERVE AG NAIROBI

Copy to: **County Coordinator**
MOMBASA

MWANIKI GITAHU
ADVOCATE
P.O BOX 99755 - 80100
MOMBASA

ORIGINAL

...ed in Register Book.

No. 3119

COLONY AND PROTECTORATE OF KENYA.

LAND TITLES ORDINANCE 1908.

SCHEDULE I. FORM B.

CERTIFICATE OF OWNERSHIP.

I Adrian John Maclean Recorder of Titles do hereby certify that Herbert Payne, Edwin Soar, John Kenneth Addie, Frank Sydney Hatton and Arnold Ehrenberg as tenants in common are the proprietors of an estate in fee (together with the mineral Rights) (1) in that piece of land situate in the Province of Seyidie at N.E. of Port Tudor and which is demarcated and delineated on the plan No. 15063 deposited in the Office of the Recorder of Titles at Mombasa and thereon numbered 360 of Sec. II and containing Nine hundred seventeen acres (917.0) or thereabouts and subject to such mortgages and other interests (if any) as hereunder written. (2)

In Witness whereof I have hereunto set my hand and seal this 2nd day of August 1922

Certificate Fees Sh. 18.34/-

Copy " Sh. 6.50/-

FEES PAID.
[signature]
Recorder of Titles.
Date 19th January 1924

A. J. Maclean L. S.
RECORDER OF TITLES.

Mortgages and other interests above referred to:

DEPT. OF LANDS, E.A.P.
Land Registration Division. Coast Registry, Mombasa
Presented 8/8/1922. Registered No. C.R. 1920/2
Time 2/ p.m. [signature]
Registrar of Titles

Be it known that pursuant to a transfer registered in the Registry of Titles at Mombasa on the 25th day of March 1924 as No. C.R. 1920/2 Newitt and Company Limited are now the registered proprietors of the piece of land described in the herein before written Certificate.

Mombasa dated this 25th day of March 1924.

[signature]
Registrar of Titles

THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THIS TITLE:—

C.R. 1920/3
Certificate by Registrar of Joint Stock Companies to the effect that Newitt Company Limited is now called Basini Limited

Presentation No. 80/38 Date of Registration 25/1/38

[signature]
REGISTRAR OF TITLES

THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THIS TITLE:—

CR. 1920/4
Transfer to John Rees Stephens

(4)

Presentation No. 1405/43 Date of Registration 11/11/43 REGISTRAR OF TITLES

THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THIS TITLE:—

CR. 1920/5
Transfer to Abdulrehman bin Miran

(5)

Presentation No. 375/47 Date of Registration 14/3/47 REGISTRAR OF TITLES

THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THIS TITLE

C.R. 1920/6
Lease:- To Mrs. Mabel Evelyn Van Waltrop
Term 99 years from 1st July 1951
(Title No. CR. 9614 issued.)

(6)

Title no. 9614 is closed as the interest lease held when the 2 merged fee held.

Presentation No. 1426/51 Date of Registration 28/7/51 REGISTRAR OF TITLES

THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THE TITLE

Grant of Probate in the estate of Abdulrehman Bin Miran (Deceased) to 1) Shamsa Abdulrehman Miran and 2) Fatu Abdulrehman Miran as the Executrix.

(7)

161 Date of Registration 24-1-84 Registrar

THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THE TITLE

Transfer to THATHIINI DEVELOPMENT COMPANY LIMITED.

(8)

162 Date of Registration 24-1-84 Registrar

PROVINCE OF
DISTRICT OF
Locality
Scale: in 200

TERED AGAINST THIS TITLE

REGISTRAR OF TITLES
AGAINST THIS TITLE

COLONY & PROTECTORATE OF KENYA.

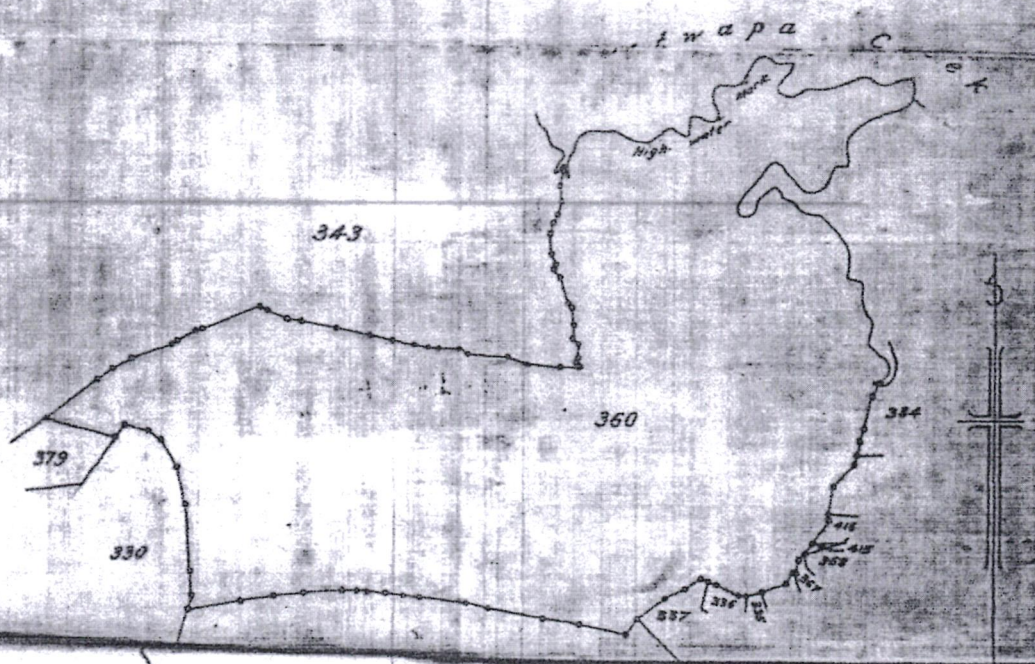
Herbert Payne & 4 others.
Land Office Reference No.

PROVINCE OF SEYIDIE
DISTRICT OF MOMBASA
Locality: To N.E. of Port Tudor
Scale: 1 in 20,000 or 1666·66 Feet to 1 Inch.

Re-Subdivision No.
of Subdivision No. 360
of Section No. II of Mainland North.
of Portion No.
of Meridional District South A. 37 / V. IV. c.

Area - 917·0 Acres (Approx)

Bearings °	'	"	Distances Feet



Land Titles Registry,
Nairobi.

Registrar of Titles.

Director of Land Surveys
Nairobi July 2nd 1922

Traced by: Nigtry
Compared by

Please quote this PLAN No. 15063

Serial No. CBO 12168

REPUBLIC OF KENYA

THE COMMUNITY GROUP REGISTRATION ACT
(No. 30 of 2022)

CERTIFICATE OF REGISTRATION
COMMUNITY BASED ORGANIZATION (CBO)

This is to CERTIFY that

KASHANI 360 RESIDENTS C.B.O			C.B.O
Group Name/Project			Type of Group
BAMBURI	BAMBURI		BAMBURI
Sub-Location/Ward	Location		Division
DSD/KSN/CBO/2023/0968	KISAUNI	KISAUNI	MOMBASA
Certificate/Registration No.	Constituency	Sub-County	County

7TH NOVEMBER 2023
Date of Registration

has been duly registered by the Directorate of Social Development pursuant to and in accordance with the provisions of the Community Groups Registration Act, No. 30 of 2022 by:

Name HESTONE MANGA
For: Director of Social Development

Signature

7TH NOVEMBER 2023
Date of issue

KENYA VISION 2030
TOWARDS A GLOBALLY COMPETITIVE AND PROSPEROUS NATION

Generation 2023

Note: *The Contents of this Certificate should not be erased, altered or defaced in any way.*

RENEWAL	DATE	STAMP/SIGNATURE
Year 2		
Year 3		
Year 4		
Year 5		
Year 6		
Year 7		

NATIONAL LAND COMMISSION

National Land Commission, 316 Upperhill Chambers, 2nd Ngong Avenue, off Ngong Road
P.O. Box 44417 – 00100, *Nairobi-KENYA*, Tel: 0111042800, Email: info@landcommission.go.ke
Website: www.landcommission.go.ke

REF: NLC/HLI/828/2021 **Date: 8th March, 2024**

Kashani Residents
P. O. Box 41141 – 80100
0726837626
Mombasa

RE: INVESTIGATIVE HEARING FOR A HISTORICAL LAND INJUSTICES CLAIM BY KASHANI RESIDENTS - CLAIM NO: NLC/HLI/828/2021

The above matter refers.

The National Land Commission is established under Article 67 of the Constitution of Kenya and under the National Land Commission Act. The Commission has constitutional and statutory obligation to investigate historical land injustice claims in the republic of Kenya under Article 67 (2) (e) of the Constitution of Kenya and section 15 of the National Land Commission Act.

Pursuant to Article 67 (2) and Sections 6 and 15 of the National Land Commission Act, the Commission hereby invites you for a **physical hearing on 19th March, 2024 from 9:00 am at Mwidani Hall – Airport Chief's Office, Changamwe Sub County.**

By a copy of this letter, the respondents are duly notified of the hearing date and the venue and are requested to attend. Kindly note that the claimants were required to serve you with the claim and supporting documents before the hearing.

Edmond Gichuru
Head, Historical Land Injustices Secretariat

Copy to: Attorney General
State Law Office
Nairobi

The Principal Secretary
Ministry of Lands, Public Works,
Housing, and Urban Development
30450 – 00100
Nairobi

NATIONAL LAND COMMISSION

National Land Commission, 315 Upperhill Chambers, 2nd Ngong Avenue, off Ngong Road
P.O. Box 44417 - 00100, Nairobi KENYA, Tel: 0111043800, Email: [illegible]
Website: [illegible]

REF: NLC/HLI/828/2021 Date: 5th March, 2024

Kashani Residents
P.O. Box [illegible] - 80100
[illegible]
Mombasa

RE: INVESTIGATIVE HEARING FOR A HISTORICAL LAND INJUSTICES CLAIM BY KASHANI RESIDENTS - CLAIM NO: NLC/HLI/828/2021

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Head, Historical Land Injustices Secretariat

Copy to: Attorney General
State Law Office
Nairobi

The Principal Secretary
Ministry of Lands, Public Works,
Housing, and Urban Development
30450 - 00100
Nairobi

NATIONAL LAND COMMISSION

National Land Commission, 316 Upperhill Chambers, 2nd Ngong Avenue, off Ngong Road
P.O. Box 44417 – 00100, *Nairobi-KENYA*, Tel: 0111042800, Email: info@landcommission.go.ke
Website: www.landcommission.go.ke

REF: NLC/HLI/828/2021/4

Date: 06/02/2024

KASHANI RESIDENTS
P.O BOX 41141- 80100
MOMBASA

TEL: 0726837626

OFFICE OF THE ATTORNEY GENERAL & DEPARTMENT OF JUSTICE
RECEIVED
28 FEB 2024
CRMU
P.O. Box 40112, NAIROBI

DEPARTMENT OF LANDS
RECEIVED
TIME ... AM/PM
19/2/2024
MOMBASA

Dear Sir/Madam,

RE: KASHANI RESIDENTS - HLI CLAIM NO: NLC/HLI/828/2021

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The above Historical Land Injustice claim which you submitted to the National Land Commission (NLC) is now under active investigation. In the course of the investigation, NLC has identified the following institutions/individuals as respondents in your claim.

1. Attorney General
2. Ministry of Lands
3. County Government of Mombasa

Department of Land Planning & Housing
RECEIVED
19 FEB 2024
REGISTRY
County Government of Mombasa

To enable the Commission to proceed with investigative hearings, you are requested to serve your claim to the above respondent and any other interested parties.

The Commission will appreciate receiving the evidence of service within the next 14 days from the date of this letter in order to finalize its investigations.

EDMOND GICHURU
FOR: SECRETARY/CEO
NATIONAL LAND COMMISSION

OFFICE OF THE ATTORNEY GENERAL
DEPT. OF JUSTICE
P.O. Box 82437 – 80100, MOMBASA
19 FEB 2024
CIVIL LITIGATION REGISTRY MOMBASA
RECEIVED
OFFICER: ... TIME: 1:50PM

RECIEVE UNDER PROTEST SERVE AG NAIROBI

Copy to: **County Coordinator**
MOMBASA

VISION: Excellent administration and management of land for improved livelihoods and sustainable development.
MISSION: To secure and manage public land and exercise oversight on use of land for the benefit of all Kenyans.
MOTTO: Our Land, Our Wealth, Our Heritage/Ardhi Yetu, Mali Yetu, Urithi Wetu

The Historical [illegible] Injustices Rules, 2016

FIRST SCHEDULE

LODGING A HISTORICAL LAND INJUSTICE CLAIM

REF. No. KSHN/01/09/22/N

DATE: 20/09/2021

(To be filled in duplicate)

Section One- Personal Details of Claimant(s)

1. Name of Claimant: ..**KASHANI RESIDENTS**..Address.**P.O.BOX 41141-80100**.
2. (a) ID/Passport Number ……**VARIOUS (AS ATTACHED)**……

   (b) Registration No/Incorporation No.(Where applicable).....**N/A**.....
3. Date of the Claim…**20th, September, 2021**.
4. Grounds on which the claim is made.**AS PER THE MEMORUNDUM ATTACHED**.
   ……

   ……
5. Number and particulars of witnesses**1.SAMUEL KAHINDI BAYA ID. NO.9206459. TEL NO. 0720894167 2.KAZUNGU TOTO KIFUNGO ID. NO. 1381009. TEL. NO. 0719336225 3. CHOGO HARE RUWA. ID NO.11761306 TEL. NO. 0723282637 4. MANGALE MWAHANJE MWINZAGU. ID NO. 4643065 TEL. NO. 0716760809**
6. Period when the injustice occurred...**BETWEEN JUNE 1895 TO AUGUST 2010**.....
7. Resultant effect…**1POVERTY 2. LOSS & LACK OF SELF CONFIDENCE. 3. MARGINALIZATION. 4. DESPARATION 5. RACIAL & ETHNIC POLARIZATION. 6. LACK OF EDUCATION. 7. UNEMPOWEREDNESS. 8. ETHNICANOMOSITIES**.
   …… ……

8. Previous attempts to resolve the injustice…**ENGAGING THE LOCAL ADMINISTRATIONS CHIEF, DO, DC, PC. VIA OUR WAZEE AND RESIDENTS COMMITTEES. 2 ENGAGING THE POLITICAL LEADERSHIP I.E MCA, WR, MP, SENATOR, GOVERNOR 3. FORMING C.B.Os TO ENGAGE THE COUNTY LANDS OFFICE, THE NATIONAL LANDS MINISTRY, THE TASKFORCES ON LAND, THE T.J.R.C. THE NATIONAL LANDS COMMISSION UNDER DR. SWAZURI ETC. ……**

9. Contact Person (in case the claimant is not an individual): **DORIS DAMA**

   Telephone…**0726837626**……..

   Email……**damaprice71@gmail.com**

   Postal Address…**P.O BOX 42501-80100 MOMBASA**……

Section Two – Particulars and description of the Property

Please complete the following particulars of the property you wish to make a claim on:

i. Land Reference Number/Parcel Number/other physical description: **LR. NO. 360/11/MN**

ii. Acreage (if applicable): ……**917 ACRES**……

iii. County……**MOMBASA**……

   Sub - County……**KISAUNI**……..

   Location……**BAMBURI**……

…

vi. Sub-Location……**BAMBURI**……

vii. Village……**KASHANI**……..

viii. Physical features……**SEASONAL RIVER, HILLS, MOUNTAINS**…….

ix. Settlement/Development Characteristics **PERMANENT BLDS, SHOPS, CHURCHES**

x. Boundaries ……**SHANZU, MTOPANGA, MWAKIRUNGE WARDS**……

xi. Any other information the claimant wishes to provide…**WE HAVE SCHOOLS BOTH GOVERNMENT AND PRIVATE, CLINICS & HOSPITALS PRIVETELY OWNED PUT HERE, OTHER BUSINESSES BOTH OWNED BY COMMUNITY AND PRIVATE CITIZENS**……

Section Three– Suggested remedy

Kindly suggest your preferred resolution to your claim

THE LAND TO BE ADJUDICATED, SUB-DIVEDED AND REGISTERED TO THE LOCAL RESIDENTS……

……

……

……

Signature/Thumb Print of the Claimant or the Duly Authorised Representative of the

Claimant……**RESIDENTS (AS PER LIST ATTACHED)**……

Date…..**20th, SEPTEMBER, 2021**….

FORM NLC /HLI/01

The Historical Land Injustices Rules, 2016

SIGNED

ON BEHALF

OF

THE RESIDENTS OF

PLOT NO. 360 KASHANI - BAMBURI

TO BE SUBMITTED TO:

The Secretary/CEO

National Land Commission

P.O. Box 44417-00100

Ardhi House, 12th floor, wing B

NAMES	I.D NO	TEL NO.	SIGNATURE
DAVID NGUZO	11762549	0716896933	
MWAMAHAWA HUSSEIN	13504228	0721535650	
BETH W. MURAYA	10488199	0722-216316	
PAMELA MAGOMA	10930425	0720 207079	
CHOGO HARE RUWA	11761306	0723282637	CHOGO
Safari Mulyika -	10832462	0732991861	
JANE KIBE	20585110	0726138370	
Leonard Nyongesa	9685512	0794 314141	
Getrude Mwero	9476148	0703458334	
Isaiah Odhiambo	23432506	0720436309	
DORIS DAMA KAHAWA	11265331	0726837626	
KAHINDI DANIEL BAYA	9206459	0720 894167	
Kazungu Chengo Thoya	8619387	0700479123	
HUSSEIN MWANGIKANI	2192203	0720111995	

THIS MEMORUNDUM (PETITION) HAS BEEN DRAFTED COMPILLED AND SUBMITTED TO (NLC) BY THE RESIDENTS (INHABITANTS) OF PLOT NO 360/11/MN (917 ACRES) IN ACCORDANCE TO THE NATIONAL LANDS COMMISSION AMMENDED ACT 2016.

WE THE RESIDENTS WISH TO SUBMIT THAT OUR LAND HEREIN REFERED TO AS PLOT 360/11/MN (KASHANI) HAS BEEN MARGINALISED, ALIENATED AND SUBJECTED TO HISTORICAL INJUSTICES IN DIFFERENT FRONTS;

1. Injustices caused by the Arabs.

Back in the years 1800s, the Arabs from Arabia and Persia invaded the Coastal Strip where the Indigenous Mijikenda Community lived. The Arabs who were largely and heavily in to the slave trade, especially the Sultan of Zanzibar perfected their trade on the Local community. This trade activity is which let to the massive exodus of the Mijikenda communities moving from the Coast strip including Kashani fearing for their lives further to the interior. These Arabs alienated the coastal communities from their own land through forceful evictions to create room for Arab settlers and through forced labor also slavery to those who resisted the evictions. For example, the Mijikenda communities' i.e the Giriamas, Digos, Chonyis, Durumas, Jibanas, Kambes, Kaumas, Rabais, and Ribes fled their land on the beaches where they did fishing and farming to escape the Arab traders who would capture and sell them as slaves. The Arabs later occupied our (Mijikenda) lands and obtained a certificate of ownership from the Sultan. These injustices did not stop even during independence, the Mazrui Arabs claimed ownership of the 10-mile 'Coastal Strip' ignoring the plight of the indigenous communities that lived there before they scrambled for coastal lands. It is such inhuman, barbaric, heartless injustices meted on our grandfathers that we have come to inherit at Kashani among other lands within the larger Coastal region.

2. Injustices caused by the British colonialists.

The British colonialists even made worse the land injustices at Kashani and the Coast in general by

1. Creating Laws and concessions alienating the Coastal Communities further from their lands. These included the Land Acquisition Act (1894), Crown Lands Ordinance (1902), Crown Lands Ordinance (1915), and the Kenya Native Areas Ordinance (1926). These laws and ordinances saw the eviction of the Mijikenda communities to facilitate the construction of the Kenya-Uganda Railway alongside other projects.
2. They also saw the leasing of the 20 per cent medium to high potential land to European settlers and multinational corporations for 99 years (the infamous 'white'

highlands). This is mostly because Kenya's land had become 'Crown' land owned by the Queen of England to dispose of at her will. For instance our Land (MN/11/360 was allocated to Herbert Payne and Four (4) others. In 1947 the Colonial government allocated this area among the bigger Kilifi south land's to a Mr. Rice mc John who forced the locals to pay rent in order to live and cultivate in their own land at a rate of 12/= per annum. This forced majority of the poor mijikendas who were mainly peasant farmer's move further interior leaving the most of the 20-Mile strip to the Colonial Masters

Presently our Land Plot No. 360/11/MN (Kashani) is home NOT only to the Mijikenda Community but other communities too with an estimated Total population of over Eighty thousand (80,000) Families. This population consists of TWO types of residents who today are making this petition strongly appealing to the National Lands Commission to Find justice and expedite a process of adjudicating and registration of this Land to the residents.

1. Those who were born and raised here between the years 1900s & 1940s such as,

    a. The Late Mzee George Mavuo Ngao
    b. The late Charo Kapombe Chivatsi.
    c. Kuchu Rimba Kalama.
    d. Malingi Thoya Sirya.
    e. Toto Kifungo Kalama.
    f. Muhambi Kalinga Chondo and many others.(Annex 001)

2. Those who came in through Legal means on invitations by those were born and raised here.

Kashani is located in Bamburi Ward; Kisauni Sub-County within the Large Mombasa County, it neighbors' other parcels of land such as Gandini plot no. 345/11/MN and Maunguja Plot No. 546/11/MN etc. Kashani is largely used for farming by the indigenous Mijikenda Community as evidenced by the attached survey report done by S.S. Willes surveyor commissioned by the British colony and protectorate of Kenya in the year 1920. (Annex 002)

Apart from being home to several Communities for over 50 years now, Several other Sustainable developments have been put up on the same parcel of land such as; Churches, Mosques, Forests, Water Pans, Boreholes, Public Schools such including Kashani Primary School, Kashani Secondary School, Other Private Schools, Community Schools, Private Dispensaries/Clinics, Mpesa shops, Posho Mills, Ophanages etc. We also have Historical ancient sites such as Burial site and Trees which were used as shrines or places of worship by the Mijikenda people (Annex 003) to which we have captured some pictorial evidence for your perusal.

As History will attest, The Mijikenda Community has lived in Kashani all through even after being fought and forcefully evicted by the Arabs and the British Colonialist as stated above. We trace back our Land Historical injustices/Conflict around and within those two eras but even further worsened by the successive independent Governments

who have been reluctant or ignored the cries and pleas of the inhabitants who have adversely inherited these injustices.

We confirm having made several efforts in the past to address this matter including;

1. Sending a delegation of Village Elders to the Area Senior Chief, to the District Commissioner and the Provincial commissioners of the early years to NO success.
2. We then started Petitioning the political leadership including the Late Hon. Emmanuel Maitha who promised us Titles after settlement to little success.
3. A taskforce formed by the Government too came in promising to settle us after taking data of all residents to date nothing yet
4. We later started forming Committees and CBOs i.e. Kangumbo, Gamaka etc to fast track discussions with the Government to no avail.

CONCLUSION. We the affected residents of Kashani Plot No. 360 plead to this Honourable National Land Commission via this petition to;

1. Have a close look at ALL the efforts made by the residents including and not limited to the Historical Injustices as stated above, the earlier submissions either through this office or the Ministry of Land, The TJRC reports etc and Settle the residents as they are.
2. Reverse All other unjustified allocations done in the past and start a process of adjudicating this parcel and registration of the same with Titles to the residents.
3. The National Land Commission to consider adjudication and registration of all people residing within the parcel MN/11/360 based on adverse possession and historical injustice.

JAMHURI YA KENYA

REPUBLIC OF KENYA

SERIAL NUMBER : 243374923

ID NUMBER : 1381009

FULL NAMES

KAZUNGU TOTO KIFUNGO



DATE OF BIRTH

01. 01. 1940

SEX

MALE

DISTRICT OF BIRTH

MOMBASA

PLACE OF ISSUE

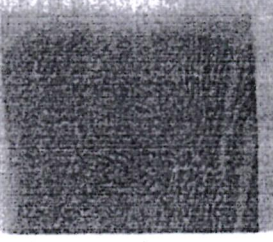
KISAUNI

DATE OF ISSUE

27. 09. 2016

HOLDER'S SIGN.





DISTRICT

KISAUNI

DIVISION

BAMBURI

LOCATION

BAMBURI

SUB-LOCATION

BAMBURI



PRINCIPAL REGISTRAR'S SIGN.

T0234737543

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4001016M1609271<B001381009C<<9

KAZUNGU<TOTO<KIFUNGO<<<<<<<<<<

'KENYA POLICE SERVICE

Telegrams: "POLICE"
.....
Telephone
.....
Ref: C/GEN/11/VOL.I/106

KIEMBENI POLICE STATION,
P. O. Box 90594;
MOMBASA
DATE: 07/10/2021

THE CHAIRMAN,
GAMAKA FARMERS CBO,
P.O. BOX 12362-80117,
MTOPANGA-BAMBURI,
MOMBASA.

RE: NOTIFICATION FOR A PEACEFUL STAKEHOLDERS MEETING

Your application dated 5th October 2021 to Ocs Kiembeni was received.
The application was to be allowed to have a meeting at the Christian Pentecostal church at Kashani on 16/10/2021 to create awareness to the community on the deliberations that were made at Marimani PEFA church on 22/9/2021 by the Thathini development company on land matters.
This office appreciates your concerns for the community and also for your good efforts in trying to look for solutions in a peaceful way.
The intelligence gathered in this ground shows that a large crowd of people will turn up for the above meeting and hence posing a security threat for the residence of Kashani. The large crowd are planning to storm the meeting claiming their interests will not be addressed.
Therefore your request for a stakeholders meeting at Kashani church hall is hereby **DECLINED.**
No meeting will take place on 16/10/2021.
I look forward for your good cooperation on this matter.

O.C.S
KIEMBENI POLICE STATION
07 OCT 2021
Box 90594
MOMBASA

SAMSON KIBET (CI)
OCS KIEMBENI

KISAUNI MEMBER OF PARLIAMENT MEET THE PEOPLE ON 02nd, OCTOBER, 2021 KASHANI SCHOOL GROUNDS.

PROGRAMME

09.00 - 9.30 AM. WANANCHI KUKUSANYIKA UWANJANI KASHANI.

10.00 – 10.30 AM. WANANCHI KUMLAKI MHESHIMIWA (KIEMBENI)

10.45 – 11.00 AM. WIMBO WA TAIFA/ MAOMBI (Bishop Kiti or L.Nyongesa)

11.00 – 1.00 PM. KUWATAMBUA WAGENI:

1. UTAWALA.
    a) WazeeWaMitaa.
    b) Asst. Chief, Chief, Do, Dc, etc
2. MASHIRIKA MBALIMBALI
    a) Bodaboda Riders: (Tsuma)
    b) Vijana – Youth (Angore)
    c) Community Policy. (Sinago)
    d) WaMama (Angelina)
3. VIONGOZI WA KIDINI.
    a). Makanisa.
    b). Misikiti.
4. VIONGOZI WA KISIASA.
    a). MCA Watarajiwa.
    b). MCA MwenyeKiti. (Hon. Robert Nyiro)

1.05 – 1.15 PM. MC/MCA KUMKARIBISHA MGENI Hon Ali. M. Mbogo.

1.20 – 2.30 PM. MHESHIMIWA MBUNGE KUHUTUBIA.

2.30 – 2.45 PM. MAOMBI YA KUFUNGA MKUTANO

GAMAKA FARMERS CBO

P.O BOX 12362 – 80117,

MTOPANGA BAMBURI,

MOMBASA.

TO:

THE OFFICER COMMANDING STATION,

KIEMBENI POLICE STATION,

KIEMBENI – BAMBURI,

MOMBASA.

Dear Sir/Madam,

RE: **NOTIFICATION FOR A PEACEFULL STAKEHOLDERS MEETING.**

We the Gamaka Community from the three parcels of land i.e. Gandini, Maunguja and Kashani wish to notify your good office of our intention to hold a peaceful meeting which shall be held on Saturday the 16th, October, 2021.

The venue of our meeting shall be at Kashani Primary School grounds scheduled to start from 9.00 am and close by mid day. We purpose to strictly observe the Ministry of heath guideline and protocol in as far as Covid -19 is concerned to all the 75 attendees expected to grace the meeting.

The subject of our meeting shall centre on the recent MARIMANI PEFA CHURCH meeting held on 22nd, September, 2021 called by the THATHINI DEV. CO. LTD on matters Land. We kindly request that you provide us with a conducive environment as we congregate to discuss this very weighty matter that concerns us.

Yours Faithfully,

27/10/2021

CHAIRMAN

P.O BOX 13362 – 80102

MITOFANGA BAMBURI,

MOMBASA.

TO:

THE OFFICER COMMANDING STATION,

KIEMBENI POLICE STATION,

KIEMBENI – BAMBURI,

MOMBASA.

Dear Sir/Madam,

RE: NOTIFICATION FOR A PEACEFULL STAKEHOLDERS MEETING.

We the Gamaka Community from the three parcels of land i.e. Gandini, Maunguja and Kashani wish to notify your good office of our intention to hold a peaceful meeting which shall be held on Saturday the 16th, October, 2021.

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Yours Faithfully,

CHAIRMAN

I am Edward Bosire 0708009556 the head of National Land Commission Mombasa County. The national Land Commission is doing nationwide sensitization on Historical land injustice law. The law came into being in 2016 through the land laws amendment Act of 2016. The law gave a period of 5 years within which citizens are supposed to present claims on Historical Land injustice. Five years are coming to a close on 21st September, 2021. After this date no claims will be received. I am appealing to us all to pass this information to our folks or neighbors who might be affected that about a month is remaining.

Sent to telephone No. 0716896933 on the 10th, September, 2021 at 08.12Hrs.

Sent to telephone No. 07[illegible]933 on the 10th
September 2021 at 08:12Hrs

MEMORUNDUM

DATED: **OCTOBERT, 15, 2021.**

TO: **HIS EXCELLENCY THE DEPUTY PRESIDENT OF THE REP. OF KENYA.**

HON, DR. WILLIAM SAMOEI RUTO. EGH, EBS

FROM: **GAMAKA (GANDINI, MAUNGUJA & KASHANI) COMMUNITY.**

SUBJECT: PARCELS OF LAND L.R. NO. 829, 546 AND 360 IN KISAUNI.

We the Gamaka community (Gandini, Maunguja and Kashani) like any other community living in Kenya within Mombasa County, Kisauni sub-county are a Law abiding, tax payer, and very peaceful citizens entitled to Leaving peacefully and harmoniously without any provocation.

We wish to rebuke in the strongest terms the Harassments, intimidations and threats issued to us by M/s Thathini Development Company aided by the local administration of Police. We specifically refer herein to the events and happenings that occurred on the **22nd, September, 2021** at **MARIMANI PEFA** Church where the entire regional security apparatus were used to intimidate us by intervening and mediating on what was to be a private meeting between Thathini Development Company and the Gamaka Community. The Directors of Thathini Dev. Co. Ltd who claim ownership of our Ancestral Lands covering over **4000 Acres** called us to a meeting to coerce us into buying our own lands at a cost of **Kshs. 500,000/=** for a plot Measuring **50Ft by 100ft** from them. They also cautioned us **NOT** to (Construct) OR (cultivate) on our Lands before their DEMANDS are fully met.

Our efforts to hold meetings to advice our people on these demands have equally been deeply frustrated by the police who have not only declined us permit but Tear gassed us every time we meet. We can only assume that the Administration police from the Regional Commissioners office down to the Chiefs have been compromised to force us agree to M/s Thathinis Demands.

The Mijikenda forefathers who are the indigenous inhabitants of these lands NEVER sold them anyone. We are simply a victim of Historical injustice lands to. We are amused since we have severally documented our pleas in search of answers through the Ministry of Lands, the **TJRC**, Ndungu report and the current National Lands Commission to NO success.

PRAYERS:

1. **That** we the Gamaka Community have a right to own Land as envisaged in our (2010) constitution like any other community in Kenyan hence demand that GAMAKA lands be adjudicated ,registered and Title deeds be issued to the community unconditionally.

2. **That** the intimidations by the Administration of Police, the threats and harassment be stopped forthwith
3. **That** the Thathini Development Company Limited/members activities currently being undertaken or underway within the Gamaka areas be STOPPED immediate and peacefully.
4. Lastly, any Development plans or engagements by either the National or County government earmarked for the Gamaka areas, be conducted with adequate public participation through the Gamaka people.

CONCLUSION:

We are a peace loving community willing to work with anyone to build a more cohesive and a peaceful Kenya, but who would not tolerate deliberate provocation geared towards destabilizing the same peace we have enjoyed over the years. We are not asking what is not ours by all rightful standards but rather demanding for our right and that of our generations yet to come.

Your Excellency the Gamaka community wishes to remind you of your own promise that you made when you came to Majaoni. When giving Titles to Majaoni people you promised to head to JUNDA then come to KASHANI which is within the GAMAKA community to settle them.

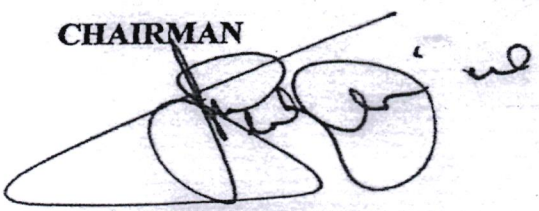
We humbly request you to intervene and secure the livelihoods of your people the Gamaka people.

SIGNING ON BEHALF OF THE COMMUNITY IS;

ONESMUS HABEL CHOME

0722431894

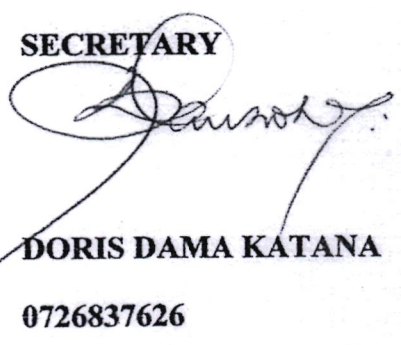
CHAIRMAN



DAVID KITSAO NGUZO

0722685012

SECRETARY



DORIS DAMA KATANA

0726837626

MCA ASPIRANT BAMBURI WARD

RESIDENTS LAND PROTECTION ORGANIZATION OF KENYA - NGO

P.O. Box 10158-80101 Mombasa - Kenya
Tel: 020 2061029 Cell Phone: 0734 536611 or 0712 127345
Email: residentslandprokenya@gmail.com

Our Ref: RLPO/K/NGO/DJMN/NC/041/2010 **Date:** November 23, 2010

Your Ref:

TO:

His Excellency, The President,
Hon. Mwai Kibaki, M.P.,
The President of The Republic of Kenya,
Office of the President,
Harambee Hse, Harambee Ave.,
P.O. Box 30510,
NAIROBI.

Dear Sir,

RE: ALLOCATION OF SETTLEMENT SCHEME TO THE SQUATTERS ON LAND REG. NO. 360/II/MN AND 343/II/MN – SITUATED MOMBASA KISAUNI DISTRICT AT NGUU TATU

Your Excellency Sir, it is with my great pleasure to have this opportunity to submit to your honoured office this letter regarding to the above mentioned request for your kind scrutiny and elucidation.

Your Excellency Sir, The President, we write on behalf of the residents residing on the mentioned land above, who came to our organization seeking for our assistance.

They say that they have resided on the said land in memorial, before even Kenya became independence 1963.

These lived longer they are:-

1) Mr. Muhambi Wa Kilanga (since 1932)
2) Mr. Katana Kamando Ndoro
3) Mr. Kahindi Biria Fondo
4) Mr. Katana Kalume Ngari
5) Mrs. Kadzo Kombe Mangale
6) Mr. Kazungu Toto
7) Mr. Swalee Omar

Among others who have stayed in that same land for over (50) years.

They say that sometimes back Government officers visited the land and assured residents that the land will be sub-divided and those who are already in the land will benefit from the allocation, and since then things remained silence. And this year few weeks this year 2010, residents started to get rumours that the land is transferred to another new owner without their knowledge, they now fear that they may start getting affliction from the people lands transferred to.

THE COLLAPSE OF LAND CONTROL BOARD WHICH IS NO LONGER USED. Your Excellency Sir, the cause of land grabbing in the country, its because Land Control Board is no longer existing. This is where grabbers get an opportunity of transferring lands illegally and some of the transfer is done by Advocates. If we compare the locals lived on the land before 1963 during colonial administration and after Kenya became independence. Locals lives became worse immediately Kenya became independence 1963 that's where land grabbing stated. And unfortunately the person chosen a Land Control Board Chairman is a District Commissioner who has no MANDATE of giving conditions on plots owned by Senior Government Officers or the rich ones. That where land grabbing corruption started. Locals lived in the land for over (100) years are being called squatters. Anyone lived in the land for over (12) years is recognized as an Adverse Possessor upon which he/she acquires an absolute title.

On 20th April 2007, the squatters' committee members wrote to the former Minister Kivutha Kibwana requesting for being allocated the land. We have attached herewith copy of the letter that never replied by the Ministry of Land as usual. And because of the Assurance given to them especially during Task-force exercise, most of them started to construct their permanent houses waiting for titles as they were promised they stayed motionless expecting the Government is preparing titles for them, but till now no variations your Excellency Sir.

Your Excellency Sir, I have attached herewith photocopies of the self-explanatory speeches one of – Tuesday, August, 15, 2006 made by the former Minister of Land Mr. Kivutha Kibwana who was accompanied by the Permanent Secretary Mr. Kombo Mwero, the Commissioner of Land, Mrs. Judith Okungu and the Director of Survey, Mr. Joseph Mathenge, Please kindly refer.

Your Excellency Sir, I have also attached herewith a self-explanatory Ministry of Lands **PUBLIC NOTICE – TASK-FORCE ON THE TEN MILE COASTAL STRIP.** Locals at Coast Province they were recorded during this exercise, how and where it ended no one knows. All the people on the said land were all recorded during that exercise.

LAND CONTROL BOARD CONTENT REPORT

Your Excellency Sir, residents residing on the said lands they are recognized being – an Adverse Possessor they stayed in the Land uninterrupted for 78 year from those entered the lands – 1932. Whatever transfer made by lands office did not passed through the Land Control Board where condition would have been given to the New owner regarding residents found living in the land. Any land transfer made without Land Control Board Consent especially the land where people lives in without consent its illegal and contrary to the Land Acts.

Your Excellency Sir, considering that the residents were there even before Kenya became independence -1963 and also during the Tusk-force on the Ten Mile Coastal Strip – were recognized and not even that, but they are also covered by. **THE LIMITATION OF ACTIONS ACT CAP. 22 LAWS OF KENYA.**

Section 7 Provides that an action may not be brought by any person to recover and after the end of twelve years from the date on which the right of action accrued to him or, if it first accrued to some person through whom he claims, to that person. That means,- The residents who were found in the land after Kenya became independence -1963 they should have been considered being an Adverse Possessor on that land upon which they acquires an absolute titles.

FINDINGS

Your Excellency Sir, we ask the Government through your Excellency Sir, and his Excellency the Prime Minister please investigate the Transfer records of the land in question. From the colonial administration to **GEMA – now was it done. And from GEMA to THATHINI DEVELOPMENT OF P.O. BOX 83261 MOMBASA PLOT NO. 360/II/MN PLOT AND NO. 343/II/MN.**

Please kindly find out if procedures were not followed when transferring these two lands, and even other lands in Coast Province, we then ask the Government to cancel the titles and to allocate the plot to residents occupying the lands or alternative, the Government to buy the land from those claiming to be the rightful owner of the said land, but only if they got these lands, on legality manner, because whatever the money will be spent to buy lands its public money which can not be mis-used if they grabbed the land then the only way is to cancel the title and give land back to residents without any condition.

Your Excellency Sir, we hope that with your good leadership sir, you will ensure that residents in Coast Province are settled and issued with titles deeds once and for all.

Your Excellency Sir, over 3000 Nguu Tatu residents on land 360/II/MN and 343/II/MN remain praying for you edifying arbitration. The list of the name for all those residing in the land is available should it be made and other documents.

God bless you and the work of your hands forever.

WE NEED LOVE, PEACE AND UNITY.

Yours faithfully,
Residents Land Protection Organization of Kenya - NGO

D. J. M. Nyambu – S.E.H.S. (D) UK
National Chairman & Founder

Copies: His Excellency, The Prime Minister
Hon. Railla Odinga M.P,
P.O. Box 74434-00200 GPO
NAIROBI.

The Minister of Land and Housing
Hon. James Orengo
P.O. Box 30450
NAIROBI.

Dr. Patrick Lumumba
Director- Kenya Anti-Corruption Commission
P.O. Box 61130-00200
NAIROBI

The Director
Kenya National Commission on Human Rights
P.O. Box 74359
NAIROBI

The Secretary
The Kenya Law Reform Commission
P.O. Box 34999
NAIROBI

The Minister for Justice & Constitutional Affairs
Hon. Mutula Kilonzo, M.P.
P.O. Box 40112
NAIROBI.

REPUBLIC OF KENYA

MINISTRY OF LANDS

PUBLIC NOTICE

TASKFORCE ON THE TEN MILE COASTAL STRIP

Land problem at the coast emanated from the colonial administration and the sultanate, an arrangement that denied the locals ownership of land. It is therefore possible to legally revert the land back to the Government in order to have it benefit the locals. As a result of this, there was need to look into the legal implication of the Presidential directive which was already in place, thus need for the Interministerial approach.

In this regards, an Interministerial taskforce on ten mile coastal strip was constituted. This had been necessitated by the Presidential Directive on Absentee Landlords at the coast. The first meeting was convened on 14th September 2006 to urgently look into the land management issues affecting the coast especially on the part of absentee landlords. It therefore required the Interministerial approach that would conclusively deal with this land problem.

In carrying out its task, the taskforce has to be identified each title as per the occupants of the same as originally recorded under the original titles Ordinance.

The taskforce will put in place the practicability of the exercise that lies in the identification of the actual squatters.

The taskforce; will be guided by the following Terms of Reference:

1) Identify the parcels of land within the 10 mile coastal strip and verify ownership
2) Identify agents who administer these properties and establish whether they have power of Attorney.
3) Identify the tenants (squatters) on these properties and establish the duration of occupancy
4) Advise whether the squatters have acquired prescriptive rights over the land
5) Make recommendations to the Government on how to legally and rationally acquire the land taking into cognisance the provisions of the constitution on sanctity of private property.
6) Put in place a proper communication strategy that will properly disseminate the process to the members of public and receive information
7) Compile a comprehensive report on the exercise

Incase of any comment reach the team at the contact mentioned below;

Ministry of Lands
Ardhi House, Headquarters
1st Ngong Avenue
P.O. Box 30450-00100, Nairobi
Tel: 254-020-2718050, Fax: 254-020-2721248
Email: pslands@wananchi.com
Website: www.ardhi.go.ke

Or

District Lands Office
P.O. Box 80053
MOMBASA

KOMBO MWERO
PERMANENT SECRETARY.

SUNDAY NATION – 8/9/2006

AGREEMENT FOR SALE OF LAND AT NGUU TATU, MN/11/829 SITUATED NEXT TO SAFARICOM TRANSMISSION SIGNALS MAST.

BACKGROUND

In year 2013, **MWINGA NZOKA AND MWAKA CHULA SAHA** sold a piece of land situated on Nguu Tatu hill next to transmission signals mast to **SOLID ROCK MINISTRY.**

SOLID ROCK MINISTRY purposed to build an Interdenominational Prayer Centre on that plot.

It latter turned out that part of that plot belonged to Kenga Muhambi

MWINGA NZOKA and MWAKA CHULA SAHA offered a one acre plot to compensate Kenga and also undertook to ensure that SOLID ROCK MINISTRY would buy the plot since it can only be accessed through their plot.

When **SOLID ROCK MINISTRY** started building, Kenga sent his young men to confront the contractor insisting that Solid Rock Ministry had to first buy that plot before any work can commence as promised by Mwaka Chula and Mwinga Nzoka. agreed to compensate Kenga with a one acre plot.

DUE TO THE FOREGOING, NOW

SOLID ROCK MINISTRY agrees to buy and KENGA MUHAMBI agrees to sell the plot given by the above named person at a price of **Ksh. Two Hundred Thousand only (KSh. 200,000.00)** which **KENGA MUHAMBI** acknowledges receipt of in full settlement of the deal.

Signed by seller..... ID 5336294

(KENGA MUHAMBI)

1. Witnessed by..... ID 4979946

(MAGANZI NDORO)

2. Witnessed by..... ID27735763

(AMOS KAZUNGU NGOA)

ON BEHALF OF SOLID ROCK MINISTRY

Signed ..... ID 3338989

(SAMUEL K. GITUNDU)

1. Witnessed by..... ID 8675978

(STEVE MUTIE JOHN)

2. Witnessed by..... ID 14578407

(MARY MULINGE)

3. Witnessed by ..... ID) 70499745

(DAVID MUSEMBI)

AT BAMBURI THIS 27TH DAY OF AUGUST 2019

- Copy to Safari Masha Mzee wa Mtaa

- Copy to Mwaka Chula Saha


JAMHURI YA KENYA

REPUBLIC OF KENYA

SERIAL NUMBER 243374923

ID NUMBER 1381009

FULL NAMES

KAZUNGU TOTO KIFUNGO

DATE OF BIRTH

01.01.1940

SEX

MALE

DISTRICT OF BIRTH

MOMBASA

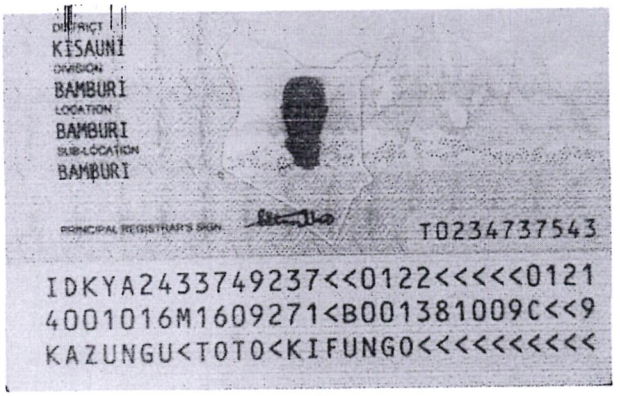
PLACE OF ISSUE

KISAUNI

DATE OF ISSUE

27.09.2016

HOLDER'S SIGN.


DISTRICT

KISAUNI

DIVISION

BAMBURI

LOCATION

BAMBURI

SUB-LOCATION

BAMBURI

PRINCIPAL REGISTRAR'S SIGN.

T0234737543

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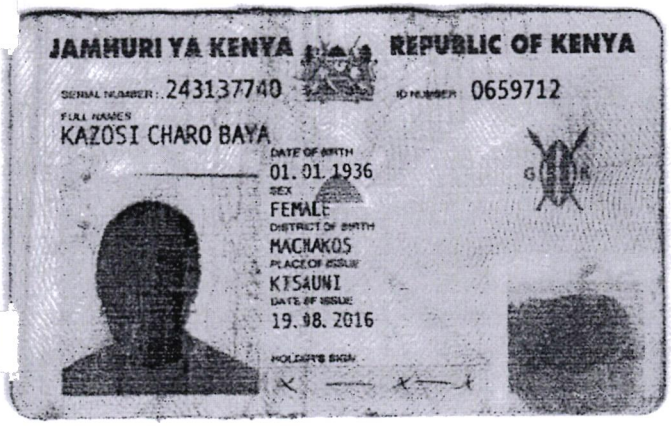
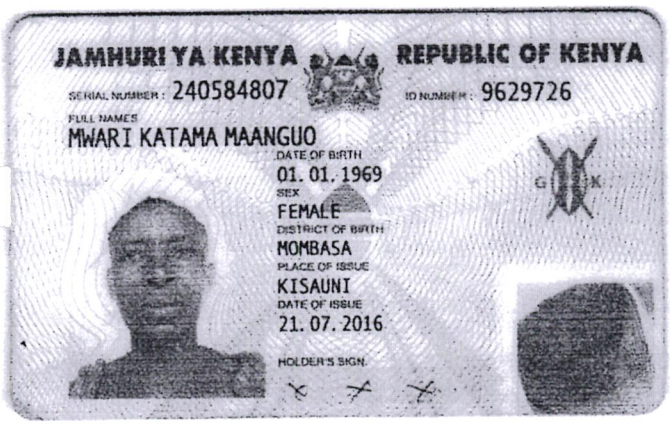
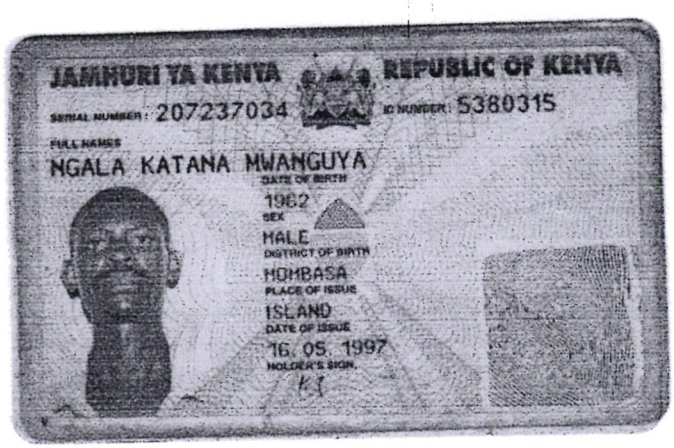
BORN 1940


JAMHURI YA KENYA
REPUBLIC OF KENYA
SERIAL NUMBER: 243137740
ID NUMBER: 0659712
FULL NAMES
KAZOSI CHARO BAYA
DATE OF BIRTH
01. 01. 1936
SEX
FEMALE
DISTRICT OF BIRTH
MACHAKOS
PLACE OF ISSUE
KISAUNI
DATE OF ISSUE
19. 08. 2016
HOLDER'S SIGN.


JAMHURI YA KENYA
REPUBLIC OF KENYA
SERIAL NUMBER: 246417966
ID NUMBER: 3159952
FULL NAMES
ATHMAN MANGUYA KATAMA KUHUU
DATE OF BIRTH
01. 01. 1958
SEX
MALE
DISTRICT OF BIRTH
MOMBASA
PLACE OF ISSUE
BIMA
DATE OF ISSUE
17. 04. 2018
HOLDER'S SIGN.


JAMHURI YA KENYA
REPUBLIC OF KENYA
SERIAL NUMBER: 240584807
ID NUMBER: 9629726
FULL NAMES
MWARI KATAMA MAANGUO
DATE OF BIRTH
01. 01. 1969
SEX
FEMALE
DISTRICT OF BIRTH
MOMBASA
PLACE OF ISSUE
KISAUNI
DATE OF ISSUE
21. 07. 2016
HOLDER'S SIGN.


JAMHURI YA KENYA
REPUBLIC OF KENYA
SERIAL NUMBER: 207237034
ID NUMBER: 5380315
FULL NAMES
NGALA KATANA MWANGUYA
DATE OF BIRTH
1962
SEX
MALE
DISTRICT OF BIRTH
MOMBASA
PLACE OF ISSUE
ISLAND
DATE OF ISSUE
16. 05. 1997
HOLDER'S SIGN.


JAMHURI YA KENYA
REPUBLIC OF KENYA
SERIAL NUMBER: 242817443
ID NUMBER: 4642192
FULL NAMES
DAHABU KATAMA MANGUYA
DATE OF BIRTH
01. 01. 1950
SEX
FEMALE
DISTRICT OF BIRTH
MOMBASA
PLACE OF ISSUE
KISAUNI
DATE OF ISSUE
18. 01. 2017
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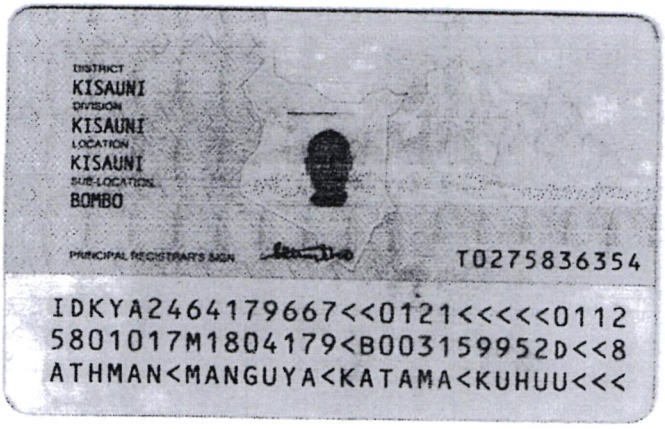
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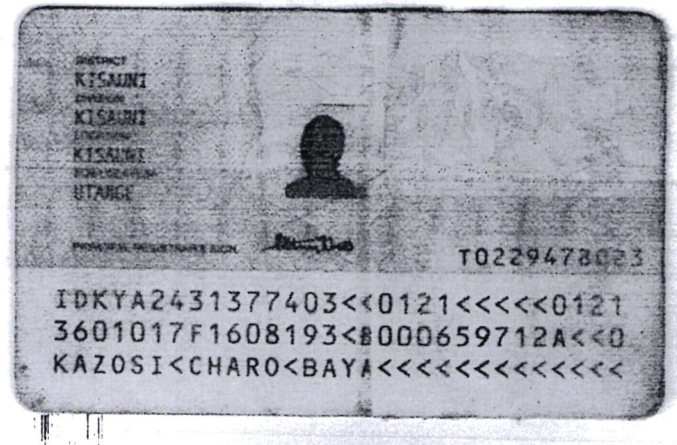
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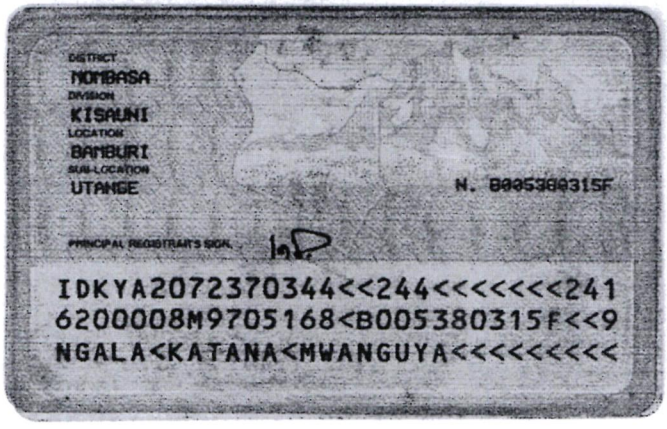
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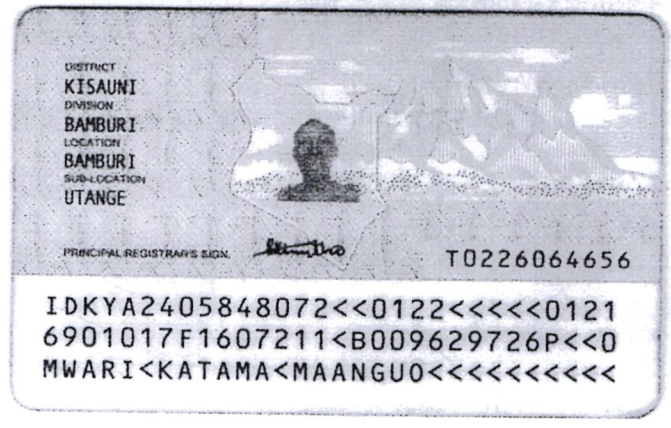
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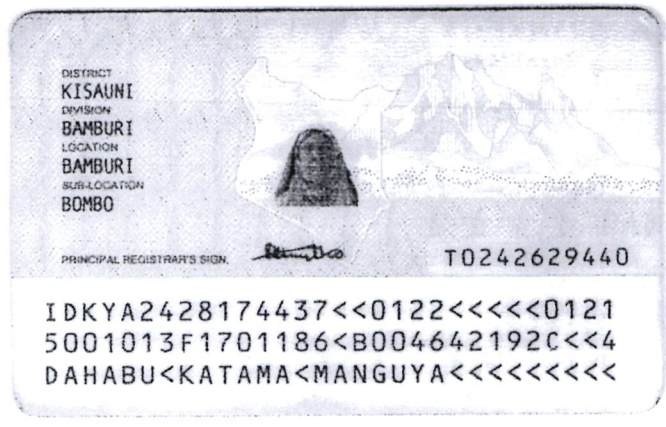
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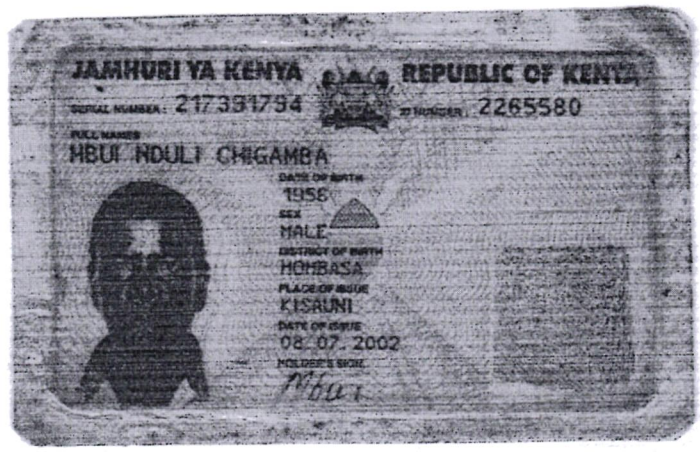
JAMHURI YA KENYA
REPUBLIC OF KENYA
SERIAL NUMBER: 217391794
2265580
FULL NAMES
MBUI NDULI CHIGAMBA
DATE OF BIRTH
1958
SEX
MALE
DISTRICT OF BIRTH
MOMBASA
PLACE OF ISSUE
KISAUNI
DATE OF ISSUE
08.07.2002
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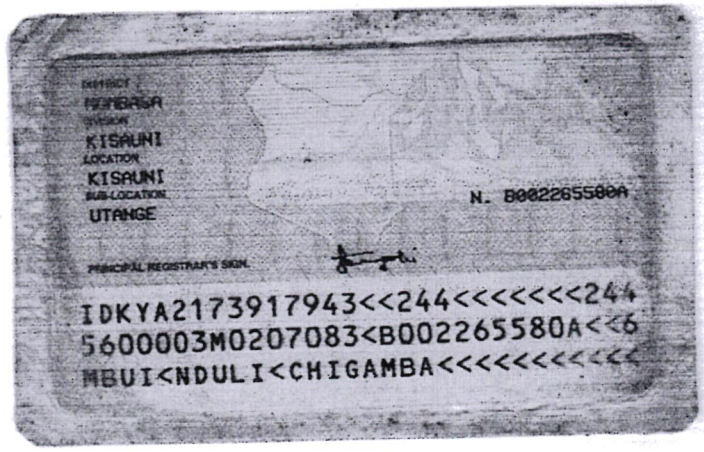
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DIVISION
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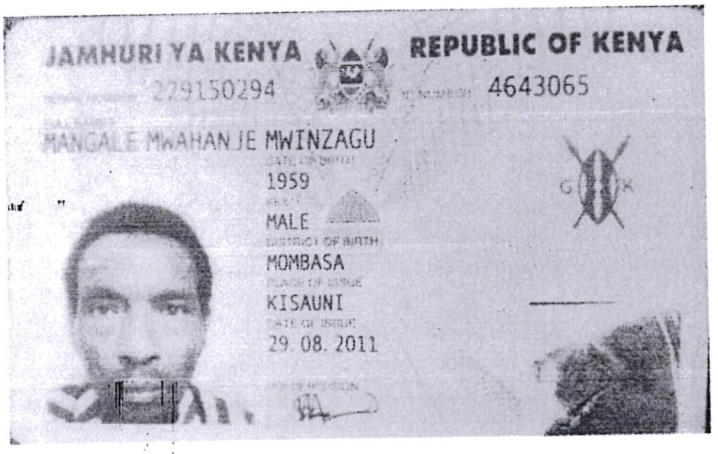

JAMHURI YA KENYA

REPUBLIC OF KENYA

229150294

4643065

MANGALE MWAHANJE MWINZAGU

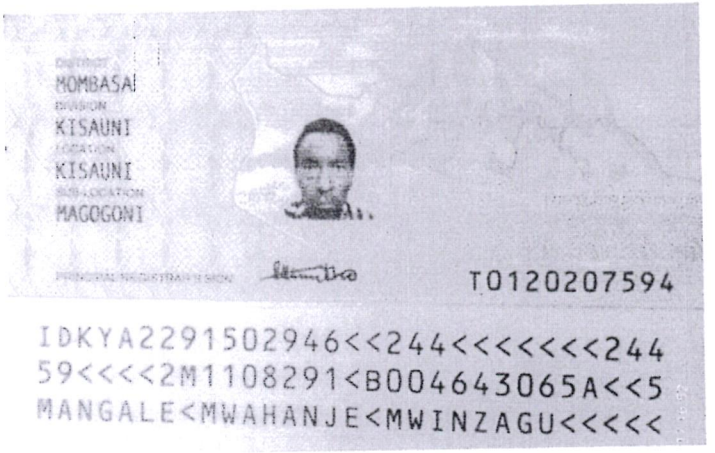
1959

MALE

MOMBASA

KISAUNI

29. 08. 2011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BORN 1959.


2021/09/17 16:17


KASHANI JUNIOR SECONDARY SCHOOL
VISION
MISSION
MOTTO
BETTER TODAY BEST
NATIONAL GOVERNMENT CONSTITUENCIES BOARD
KISAUNI CONSTITUENCY CONSTRAETION OF TWO
CLASSROOM AT KASHANI PRIMARY SCHOOL FUNDED BY
NG-CDF KISAUNI FY 2020-2021

2021/09/17 16:16

Annex III:

Petitioners

Submissions

.PETITION TO:

The Senate
Parliament Buildings
P. O. Box 41842 - 00100
~~NAIROBI~~

DEPUTY CLERK - MA'S OFFICE
RECEIVED
3 0 JUL 2024
P. O. Box 41842 - 00100, NAIROBI

3 0 JUL 2024

RE: PETITION TO THE SENATE CONCERNING THE RECOGNITION OF LAND OWNERSHIP RIGHTS AND REDRESS OF HISTORICAL INJUSTICES IN MOMBASA COUNTY

We, the undersigned, Citizens of Kenya, residents of Mombasa County, taxpayers, and voters residing on the parcels of land registered as original plot numbers MN/11/803, 804, 805, 806, 807, 80, 49, and 79, Mainland North of Mombasa, ~~VIMN/211/22~~ KIJKU Plot Kashani 360/11/MN ~~kisauni:219/xv11,232/xv11~~ MWEMBE 1068/XV11,XLV/54 Bondeni Mombasa Island

RECEIVED
3 0 JUL 2024
DIRECTOR LEGISLATIVE AND PROCEDURAL SERVICES

DRAW the attention of the House to the following:

1. Egregious violations of fundamental human rights, stemming from historical injustices related to land ownership. For decades, these communities have endured systematic oppression, characterized by the dispossession of ancestral lands and exploitation by absentee landlords. This has resulted in widespread poverty, social and economic marginalization, and a deep-seated sense of inequality.

1.1 **THAT** We are legal homeowners residing on specific plots of land. Despite this, we are now being called "tenants-at-will" and forced to pay monthly ground rent to these absentee landlords.

1.2 **THAT** Landlords conduct unfair rent practices by charging us illegal monthly rent without providing formal receipts. They also arbitrarily increase the rent without consulting us.

1.3 **THAT** we have faithfully paid rent for many years, yet none of us have registered leases.

1.4 **THAT** landlords have illegally subdivided the original plots into smaller parcels without our knowledge or consent. They have not followed proper procedures for changing land use from agricultural to residential. Additionally, they have assigned exorbitant valuations to each subdivided plot.

1.5 ~~**THAT as occupants of these plots for generations, we have a pre-emptive right to**~~ purchase the land. However, landlords are disregarding this right by basing the price on current market value, which is unjust.

(3) Mr. Zahida. Please review. We had handed petition. Mr. Mwembe earlier. D. Clerk. 31/07/24.

(1) DLPS

(2) Mr. Chairman (Lands)

Please deal

MA, 31/7/24

Pls note and deal. There are/have been similar petitions in this subject. Kindly discussion

Dr. Zahida 31/7/24

1.6 THAT our forefathers acquired this land through legitimate agreements with the original landowners. We are not squatters.

PETITION TO THE SENATE CONCERNING THE RECOGNITION OF LAND OWNERSHIP RIGHTS AND REDRESS OF HISTORICAL INJUSTICES IN MOMBASA COUNTY

2. THAT we have made the best efforts to have these matters addressed by the relevant authorities all of which have failed to give a satisfactory response. Efforts to Address Historical Land Injustices include:

   2.1 National Land Commission (NLC) Public Hearings: Public hearings were conducted by the NLC during the tenure of Professor Siwazuri, at both the Kenya Government School and Tononoka Hall in Mombasa. However, these hearings failed to yield any concrete results or resolutions regarding the land grievances.

   2.2 Inter-Ministerial Task Force (2006): An inter-ministerial task force led by Mr. Augustine Maside from the Ministry of Lands was established in 2006 to investigate the issue of "tenants at will" tenure. Despite the task force completing its work, the Ministry of Lands (MOL) has not yet released the findings or any subsequent actions taken based on those findings.

   2.3 Unfinished Parliamentary Motion (2009): In 2009, Rashid Mzee, the Member of Parliament for Kisauni constituency, tabled a motion in the National Assembly seeking a clear definition of "coastal squatters" and "absentee landlords" within the context of government land records, referencing various land commissions such as the Njojo Commission, Akiwumi Commission, TJRC Commission, and the National Land Policy (NLP). Unfortunately, this motion remains unfinished and unresolved.

   2.4 National Land Commission and Historical Land Injustices: The National Land Commission has not addressed the matter on clear definition of "historical land injustices" and the process is taking too long. This lack of a clear definition raises concerns about the effectiveness and fairness of the entire process.

3. THAT, none of these issues raised in this Petition is pending before any court of Law, Constitutional or any other legal body.

WHEREFORE your humble petitioners Pray that the Senate—

1. Initiates investigation into allegations of human rights violations and land injustices within the affected plots of land in Mombasa County with a view to ensure that the Petitioners are awarded land lease agreements.

2. Utilizes the findings of this investigation to formulate lasting solutions to the ongoing land ownership issues faced by residents of Mombasa County.

Make a recommendation for the legal recognition of Petitioners' t

PETITION TO THE SENATE CONCERNING THE RECOGNITION OF LAND OWNERSHIP RIGHTS AND REDRESS OF HISTORICAL INJUSTICES IN MOMBASA COUNTY

5. Undertakes a comprehensive analysis to define the specific challenges faced by coastal communities regarding land ownership.

6. Make a recommendation on provision of clear definitions for terms such as "squatters," "absentee landlords," and "houses without land" within the context of ongoing coastal land reforms.

Dated this..... .....day of..... 2024

No	Name	Address	I.D No	Signature
	DORIS DAMA KATANA	Box 42501-80100	11265331	DKatana
	Nagib Shamsan	0722723371	5381511	[illegible]
	Rajab Sumba	0722987377	[illegible]	[illegible]
	ABDILLAHI FARAH HAJI	0735360214	10579600	[illegible]

Countersigned by:

M ABDILLAH

SEN. MIRAJ ABDILLAHI, MP

NOMINATED SENATOR

DATE: 30th JULY 2024

PETITION TO:

The Senate
Parliament Buildings
P. O. Box 41842 – 00100
NAIROBI

RE: PETITION TO THE SENATE CONCERNING THE RECOGNITION OF LAND OWNERSHIP RIGHTS AND REDRESS OF HISTORICAL INJUSTICES IN MOMBASA COUNTY

We, the undersigned, Citizens of Kenya, residents of Mombasa County, taxpayers, and voters residing on the parcels of land registered as original plot numbers MN/11/803, 804, 805, 806, 807, 80, 49, and 79, Mainland North of Mombasa, VIMN/211/12/R SEC, Kashani 360/11/MN.

DRAW the attention of the House to the following:

1. Egregious violations of fundamental human rights, stemming from historical injustices related to land ownership. For decades, these communities have endured systematic oppression, characterized by the dispossession of ancestral lands and exploitation by absentee landlords. This has resulted in widespread poverty, social and economic marginalization, and a deep-seated sense of inequality.

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   1.4 **THAT** landlords have illegally subdivided the original plots into smaller parcels without our knowledge or consent. They have not followed proper procedures for changing land use from agricultural to residential. Additionally, they have assigned exorbitant valuations to each subdivided plot.

   1.5 **THAT** as occupants of these plots for generations, we have a pre-emptive right to purchase the land. However, landlords are disregarding this right by basing the price on current market value, which is unjust.

   1.6 **THAT** our forefathers acquired this land through legitimate agreements with the original landowners. We are not squatters.

2. THAT we have made the best efforts to have these matters addressed by the relevant authorities all of which have failed to give a satisfactory response. Efforts to Address Historical Land Injustices include:

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3. THAT, none of these issues raised in this Petition is pending before any court of Law, Constitutional or any other legal body.

WHEREFORE your humble petitioners Pray that the Senate—

1. Initiates investigation into allegations of human rights violations and land injustices within the affected plots of land in Mombasa County with a view to ensure that the Petitioners are awarded land lease agreements.

2. Utilizes the findings of this investigation to formulate lasting solutions to the ongoing land ownership issues faced by residents of Mombasa County.

3. Recommends mechanism that allows for the Petitioners to directly pay taxes and/or to the government.

4. Make a recommendation for the legal recognition of Petitioners' tenancy rights.

5. Undertakes a comprehensive analysis to define the specific challenges faced by coastal communities regarding land ownership.

6. Make a recommendation on provision of clear definitions for terms such as "squatters," "absentee landlords," and "houses without land" within the context of ongoing coastal land reforms.

Dated this.....day of.....2024

No	Name	Address	I.D No	Signature

Countersigned by:

SEN. MIRAJ ABDILLAHI, MP **DATE:**

NOMINATED SENATOR

ORIGINAL SUBMISSION
PETITIONERS -
5/4/2025

NATIONAL LAND COMMISSION

National Land Commission, 316 Upperhill Chambers, 2nd Ngong Avenue, off Ngong Road
P.O. Box 44417 – 00100, *Nairobi-KENYA*, Tel: 0111042800, Email: info@landcommission.go.ke
Website: www.landcommission.go.ke

REF: NLC/HLI/1199/2021/4

Date: 06/02/2024

DEPARTMENT OF LANDS
RECEIVED
TIME ... AM/PM
21/2/2024
MOMBASA

ABDILLAHI FARAH HAJI
P.O.BOX 86883-80100
MOMBASA

TEL:

Dear Sir/Madam,

RE: ABDILLAHI FARAH HAJI :NLC/HLI/1199/2021

The above subject matter refers.

The above Historical Land Injustice claim which you submitted to the National Land Commission (NLC) is now under active investigation. In the course of the investigation, NLC has identified the following institutions/individuals as respondents in your claim.

1. Min of lands
2. County Government
3. Registered owners

To enable the Commission to proceed with investigative hearings, you are requested to serve your claim to the above respondent and any other interested parties.

The Commission will appreciate receiving the evidence of service within the next 14 days from the date of this letter in order to finalize its investigations.

EDMOND GICHURU
FOR: SECRETARY/CEO
NATIONAL LAND COMMISSION

Copy to: **County Coordinator**
MOMBASA

OFFICE OF THE COUNTY ATTORNEY
RECEIVED
21 FEB 2024
P. O. Box 90440 - 80100
MOMBASA
MOMBASA COUNTY GOVERNMENT
10:00 Am

NATIONAL LAND COMMISSION

National Land Commission, 316 Upperhill Chambers, 2nd Ngong Avenue, off Ngong Road
P.O. Box 44417 – 00100, *Nairobi-KENYA*, Tel: 0111042800, Email: info@landcommission.go.ke
Website: www.landcommission.go.ke

REF: NLC/HLI/1199/2021

Date: 8th March, 2024

Abdillahi Farah Haji
Mombasa

RE: INVESTIGATIVE HEARING FOR A HISTORICAL LAND INJUSTICES CLAIM BY ABDILLAHI FARAH HAJI - CLAIM NO: NLC/HLI/1199/2021

The above matter refers.

The National Land Commission is established under Article 67 of the Constitution of Kenya and under the National Land Commission Act. The Commission has constitutional and statutory obligation to investigate historical land injustice claims in the republic of Kenya under Article 67 (2) (e) of the Constitution of Kenya and section 15 of the National Land Commission Act.

Pursuant to Article 67 (2) and Sections 6 and 15 of the National Land Commission Act, the Commission hereby invites you for a **physical hearing on 19th March, 2024 from 9:00 am at Mwidani Hall – Airport Chief's Office, Changamwe Sub County.**

By a copy of this letter, the respondents are duly notified of the hearing date and the venue and are requested to attend. Kindly note that the claimants were required to serve you with the claim and supporting documents before the hearing.

Edmond Gichuru
Head, Historical Land Injustices Secretariat

RECEIVED 13 MAR 2024

Copy to: The Principal Secretary
Ministry of Lands, Public Works,
Housing, and Urban Development
30450 – 00100
Nairobi

County Secretary,
County Government of Mombasa
Mombasa.

Hon. Abdulswamad Shariff Nassir
Member of parliament
Mvita Constituency

Republic of Kenya
National Assembly

Muhamed Dory Muhamad Yakub
Embassy of The Republic of Kenya – Muscat
P.O.Box 173 -103
Muscat, Sultanate of Oman

July 17, 2019

Dear Sir,

PLEA FOR INTERVENTION WITH REGARD TO UNJUST DEPRIVATION OF LAND TO RESIDENTS OF MWEMBEKUKU AND MJI WA KALE VILLAGE (MVITA CONSTITUENCY) BY TRUSTEES OF SEIF BIN SALIM TRUST

r Excellency I write this letter as a member of the Kenya Parliament representing Mvita Constituency hich Plot Numbers 232/XVII, 219/ XVII, 54/XLV and 1068/XVII are situated.

e plots are registered in the names of Saif Bin Salim Trust
nded by the beneficiaries of the late SHEIKH SALIM BIN KHALFAN EL-BUSAIDI
vali (Governor) of Mombasa.

on the look of the title documents it is apparent that the late SHEIKH SALIM BIN KHALFAN -BUSAIDI was given the plots in trust for the benefit the local inhabitants mainly of Arab and ahili origins who paid nominal rent to be used in the payment of Government Tax.

en Kenya became independent the Government of Kenya took over Mombasa from the control of ean via agreements brokered by the Colonial British Government.

of the main issues tackled during the pre-independence agreements was the issue of land in which British Government compensated the Sultan of Zanzibar for the surrender of sovereignty over the d it owned within the Kenyan Coast.

e Government of Kenya further agreed that it shall respect the sanctity of titles given to individuals ge within Coastal strip. This provision was misused by those who held the titles in their capacities as plis by laying private ownership claims over land they held in their capacity as Government ployees.

e members of my constituency are victims of circumstances as their houses (very low quality houses) built on the land initially owned by the late SHEIKH SALIM BIN KHALFAN EL-BUSAIDI liwali Mombasa.

e descendants of the late Liwali have taken over the land and constituted a trust known as Seif Bin im Trust.

This trust eventually proceeded to register itself as the owner of the two plots and sub divided the same into many sub-plots and has offered the same for sale to the house owners at commercial rates with a threat that upon failure to purchase the portions would be sold to the third parties.

Your Excellency the act of selling the sub plots at commercial rate to the house owners will cause great prejudice for reasons that:-

a) Majority of the house owners are poor and unable to raise the purchase price asked.
b) Majority of the residents will lose their homestead by reason of failure to raise the purchase price.
c) The trustees of Seif Bin Salim Trust have acted in the most unfair manner by commercializing the plots which were meant for the settlement of the local inhabitants.
d) The trustees have further acted unfairly by failing to consider that the residents have been paying ground rents for the properties for a period of over a hundred years.
e) The house owns are compelled to pay 10% of the value of any construction that is reflected in their architectural plan.

Your Excellency the above reasons coupled with the fact that the Sultan of Zanzibar was compensated and actually granted permanent residency in England as compensation will indeed tarnish the good image of the Omani Government which is viewed as very friendly to the people of Mombasa who it helped to remove the Portuguese occupiers.

It is on this note that I call upon your Excellency to intervene as a mediator to persuade the trustees of Seif Bin Salim Trust to surrender plot numbers to the residents of Mombasa on who's benefit the land was given.

Let your Excellency be guided by the fact that the land was initially registered in the name of SHEIKH SALIM BIN KHALFAN EL-BUSAIDI Liwali of Mombasa and not in his individual capacity.

Yours Sincerely,

Abdulswamad Shariff Nassir,
MP - Mvita Constituency.

NATIONAL LAND COMMISSION
COUNTY COORDINATOR
19 JUN 2017
MOMBASA COUNTY
P.O. Box 2122 - 80100, MOMBASA
COUNTY GOVERNMENT OF MOMBASA
GOVERNOR'S OFFICE
19 JUN 2017
RECEIVED
P.O. Box 80133 - 80100, MOMBASA
Our Land, Our Wealth, Our Heritage
NATIONAL LAND COMMISSION
COUNTY COMMISSIONER
MOMBASA 19/6/017
DEPARTMENT OF LANDS
RECEIVED
19/6/2017
MOMBASA
GOVERNMENT REGIONAL
COORDINATOR
COAST REGION
JUN 2017
RECEIVED

Tel.0202718050
Email.info@nlc.or.ke
Website:www.nlc.or.ke

ARDHI HOUSE
1st NGONG AVENUE
P.O. Box 44417
NAIROBI

Ref: NLC/CHAIRMAN/VOL.XX/107

15th June, 2017

Estate of Said Seif Bin Salim
MOMBASA ISLAND

LEYVING DISTRESS FOR GROUND RENT 54/XLV MN/XV11/219 AND MN/1/232 - MOMBASA COUNTY

We make reference to several correspondences, discussions, complaints and records on the above issue. Pursuant to Article 67 (2) e of the Constitution of Kenya of 2010, read together with Article 40 of the same constitution, combined with Section 160 (2) (e) ii of the Land Act of 2012, the NLC is mandated to negotiate between land owners and squatters as well to do alternative dispute resolution.

Complaints have been raised by owners of buildings that were constructed on land owned by you, viz Plot No. 54/ XLV, Plot No MN/XV11/219 and Plot No MN/1/232, and after you gave them notice dated 8th August, 2016. Other notices, we are informed have been issued to the effect that auctioneers were to sell off the parcels early last week.

Take note that while you have a right to your property:-

i) The National Land Commission now wishes you to submit all your ownership documents for verification. We had requested for the same in 2016 to no avail.

ii) The Commission is asking you to allow dialogue between you and the house owners, to be chaired by The National Land Commission in conjunction with the Mombasa County Commissioner and the County Government of Mombasa on a date to be decided soon.

SAID SEIF BIN SALIM 19/6/17

iii) To suspend any actions that are likely to trigger off mass property destruction and cause chaos, such as auctioning the structure on your land or demolishing them altogether.

iv) Adhere to government circulars and agreements that were issued in the early 1980s and 1990s as a way of resolving the matter.

Please allow the law to follow its course in the resolution of this matter. Peace and prosperity have to prevail even in instances where your land rights appear to be infringed. There are enough safeguards in law to protect your private property without injuring user rights of others.

Prof. Muhammad A. Swazuri, PhD, OGW
Chairman, National Land Commission and
Associate Professor of Land Economics

Cc

Governor - Mombasa County

County Commissioner - Mombasa County

NLC Coordinator - Mombasa County

District Land Registrar - Mombasa County

Regional Coordinator - Coast Region

✓Residents & house owners on the subject plots on Mombasa Island

RoundUp

Court stops Chinese firm from developing commercial land

A Chinese company has been stopped by the High Court from developing commercial houses on a prime property in Nairobi. Justice Lucy Gacheru ordered that the development of residential houses on the plot of land located alongside Ndemi Road be halted until the case filed in court is heard and determined. Samvo Limited, through lawyer Stephen Mwenesi is seeking orders to protect the land, which is said to be under construction by the Catham Company. However, Mr Mwenesi said it is not clear whether the said development on the land under dispute has planning approval from the Lands Ministry.

Name signatories of Anglo Leasing cheques, AG told

An MP has asked Attorney General Githu Mulgai to name the signatories of



the cheques that processed payments for the Anglo leasing firms. South Mugirango MP Manson Nyamweya says it is in public interest that Kenyans get to know the individuals who appended their signatures to sanction part of the payments to the controversial companies. He also demanded to know the officers who signed inventories to accept receipt of the goods and services, which he said, were never offered by the companies now demanding Sh1.4 billion payment.

Kenyan contests council election in Britain

Nairobi-born Josiah Kimani, a former soldier in the British Army, is among the growing number of Kenyans contesting in Britain's Local Government elections today. Mr Kimani, 34, has lived in Slough, Berkshire, for three-and-half years and is contesting the Colnbrook seat on a Labour Party ticket. He works as a data analyst for a local telecommunications company. The former Strathmore University student is passionate about education, and is a school governor at Claycots Primary School in Britwell. He says he is keen to secure environmental improvements for Colnbrook village, and tougher action to combat fly-tipping and anti-social behaviour. Slough has a big community from East Africa.

Nyamira senator slams CORD over plans to impeach Uhuru

A CORD legislator has warned his colleagues against calls to impeach President Uhuru Kenyatta saying such a move would be premature and not in the interest of Kenyans. Nyamira Senator Monga're Bwo'Okongo, instead urged the opposition to engage the ruling Jubilee alliance in constructive and objective debate to provide alternatives solutions to the raging insecurity in the country. Saying the debate would further ethnic division, the senator faulted his bandwagon of legislators as being too insensitive with the plight of Kenyans and the aftermath of the 2007 post election violence.

Coast region hit by mosquito transmitted fever

More than 100 cases of dengue fever have been confirmed in various hospitals since beginning of the year

BY STANLEY MWAHANGA

Mombasa County health authorities have announced the outbreak of dengue fever in the region.

The officers say the disease has hit the county and other surrounding counties, but denied any deaths.

The authorities last week warned that the onset of the long rains could spur water and vector borne disease including diarrhea, malaria and dysentery.

The Standard has also learnt that the number of infections could be high, as all Government hospitals and medical institutions lack the capacity to diagnose the fever and have to transfer samples to private laboratories for tests.

According to estimates from the county government's health department, more than 100 cases of dengue fever have been confirmed in various hospitals since the beginning of the year.

County Health Executive Rinti Omar said most of the reported cases are of elderly and young residents in the county.

Dr Omar said despite the outbreak, nobody has succumbed to the disease, which is regarded as fatal tropical fever. It however, killed three people in Mombasa last year.

She said her office has no records showing prevalence rates in specific areas adding that the vector transmitting the fever tends to bite in many areas during the day but is more prevalent in areas that are crowded and unhygienic.

Omar added that most patients have been diagnosed with mild cases, unlike last year where three people succumbed.

Most of the cases diagnosed were detected in private institutions, whose surveillance system to screen and detect the fever is functioning.

SAMPLE TESTS

Samples from public facilities have been taken to the Centre for Disease and Control in Nairobi for further test and screening.

"We have had more than 100 cases of the disease since January but they have mainly been mild," said Omar.

Medical experts say there is no vaccine against and have similar symptoms as malaria.

Mombasa County Director of Medical Services Khadija Shikelly told *The Standard* last week that cases of dengue fever in the Coast region are not new.

Symptoms of the disease include severe headache, pain behind the eyes, muscle and joint pains, nausea, vomiting, swollen glands or rash.

The disease was first detected in Mombasa last year by medical research experts from the Kenya Medical Research Institute (Kemri).

Heavy rains in the region are said to have created new breeding grounds for mosquitoes, which are the vectors transmitting the disease to humans.

Omar said the county had begun sensitising the residents through community health workers on the importance of hygiene.

FACTS ABOUT DENGUE FEVER AND ITS TRANSMISSION



- Dengue is a mosquito borne viral infection
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National Land Commission Chairman Mohammed Swazuri (right) with Commissioner Samuel Tororei during the launch of the task force in Nairobi, yesterday. [PHOTO: GOVEDI ASUTSA/STANDARD]

Task force to probe historical land injustices formed

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A task force to look into the land historical injustices has been commissioned.

The 14-member task force was commissioned yesterday and is expected to come up with a legislation that will help in addressing land grievances that have bedeviled the country for many years.

The task force headed by Samuel Tororei is also expected to spearhead discussions that will come up with a draft Bill on land issues to be presented to Parliament in the next eight months.

Members include Rose Musyoka, Emma Njogu, Clement Olenashuru, Gichira Kibara, Ken Nyaundi, Wilberforce Kisiero, Grace Mwailemi and Christine Kanini.

Others are a Mr Nixon, Daniel Koilel, Amina Hashi, Augustine Masinde, and Kassim Mwamzandi.

The formation of the task force is in line with Article 68(2) of the Constitution, which requires investigations into land injustices be conducted and appropriate action recommended by the National Land Commission (NLC). The task force was gazetted on May 9.

Through the drafting of the legal framework, the task force hopes to have all the land historical injustices addressed under the confines of the law.

"As a task force, we hope to be able to initiate investigations into the land historical injustices and recommend appropriate legislation to benefit Kenyans, especially the minority communities such as the Ogiek," said Dr Tororei.

Inaugurated under NLC, it aims at addressing land matters in a different way — in that it will have active participation of the citizenry as it plans to go across the country, collecting views from the affected communities.

"We are planning to visit different counties where land injustices have been committed and have the citizens in those areas participate so that we can have divergent views and suggestions for possible adoption in the draft Constitution that is to be tabled before Parliament," said Tororei.

Speaking at the launch, the Kenya Land Alliance National Co-ordinator Odenda Lumumba said the alliance supports the Government's land reform efforts, but should be done under the stated laws.

He also challenged all commissions such as the Gender Commission to be in the forefront in land reforms, as women are among the most affected victims of land injustices.

"The task force needs to come up with new strategies to be employed in land reforms in order for land issues to be properly dealt with," said Odenda.

Some of the communities that have suffered land injustices present at the function were the Ogiek, Ilchamus, Sengwer and also a community from Lamu County.

RoundUp

Court stops Chinese firm from developing commercial land

A Chinese company has been stopped by the High Court from developing commercial houses on a prime property in Nairobi. Justice Lucy Gacheru ordered that the development of residential houses on the plot of land located alongside Ndemi Road be halted until the case filed in court is heard and determined. Samvo Limited, through lawyer Stephen Mwenesi is seeking orders to protect the land, which is said to be under construction by the Catham Company. However, Mr Mwenesi said it is not clear whether the said development on the land under dispute has planning approval from the Lands Ministry.

Name signatories of Anglo Leasing cheques, AG told

An MP has asked Attorney General Githu Mulgai to name the signatories of



the cheques that processed payments for the Anglo leasing firms. South Mugirango MP Manson Nyamweya says it is in public interest that Kenyans get to know the individuals who appended their signatures to sanction part of the payments to the controversial companies. He also demanded to know the officers who signed inventories to accept receipt of the goods and services, which he said, were never offered by the companies now demanding Sh1.4 billion payment.

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GEORGE EGUNZA & ASSOCIATES ADVOCATES
GEORGE EGUNZA LLB (MOI) HON.DIP.KSL

OUR REF: GE/HISTORICAL INJUSTICE/1/2022 6TH JUNE 2024
YOUR REF:T.B.A.

THE CHAIRPERSON
NATIONAL LAND COMMISSION,
UPPERHILL CHAMBERS 2ND NGONG AVENUE
OFF NGONG ROAD
P.O. BOX 44417-00100
NAIROBI.

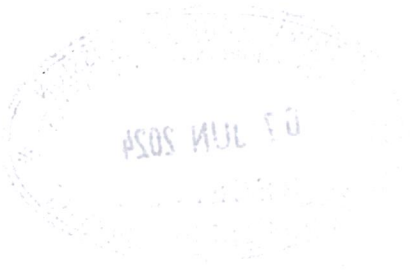


Dear Sir,

RE:FURTHER EVIDENCE ON HISTORICAL INJUSTICE, PERPETRATED BY SBS PROPERTIES AGAINST THE LOCAL POPULACE OF MOMBASA
OUR CLIENT:HUSSAM HASSAN MOHAMED

Invoking the powers bestowed upon your esteemed office by purview of the Constitutional provisions and in light of the public hearing conducted at the Bandari College a treasure trove of evidence has come to light which we do seek to address you as hereunder:-

1. The Indenture Will Of Sir Ali Bin Salim K.B.E, C.M.G Executor Of the Will Of Seif Bin Salim has finally been located and this has already been brought to the attention of the Local land Ministry which essentially implies that it is fraudulent and illegal enterprise for there to be in existence title Deeds in private hands to wit; SBS PROPERTIES LIMITED in respect of land parcels PLOT NO. 232/XVII & 219/XVII.
2. It follows, to which we do reiterate each and every transaction in respect of the properties subject to the public inquiry were issued in illegality and therefore null and void ab initio, this is public land held in trust since the 1937's therefore to now purport to formulate a land holding Company and thereafter transfer the said interest in the year 2006 speaks volumes of the entire injustice..
3. It is prudent that invoking the power bestowed on the esteemed Commission that the immediate recommendation of cancellation of all and any transaction obtained by illegal enterprise and subject to the public hearing be adjudged,; emphatically the said properties are indeed Wakf/~~trust~~ for the local populace and not private property.



For ease of reference and adducing of evidence consequent to the public hearing we enclose the requisite documents and indenture for your perusal and subsequent Orders.

We look forward to response herewith.

Yours Faithfully

GEORGE EGUNZA&ASSOCIATES

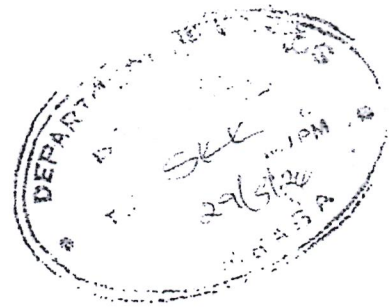
GEORGE EGUNZA

cc. 1. client.
2. The Regional Co-ordinator
National Land Commission
MOMBASA

GEORGE EGUNZA & ASSOCIATES ADVOCATES
GEORGE EGUNZA LLB (MOI) HON.DIP.KSL

Our Ref: **GE/HISTORICAL INJUSTICE/1/2022** **24TH MAY 2024**

YOUR REF: MSA/LND.GEN.3/658



The Land Registrar
Mombasa County Land Registrar
Uhuru Na Kazi Building
State House Road
MOMBASA

Dear Sir,

RE: WILL FOR PLOTS NO. 232/XVII & 219/XVII-MOMBASA

The above captioned matter and yours dated 27th September 2023 refers:-

Kindly, due to concerted efforts by our clients, have managed to trace the Indenture of the Will of Sir Ali Bin Salim K.B.E, C.M.G executor of the Will of his late brother Seif Bin Salim.

For brief explanation, Seif Bin Salim was the Liwali of Lamu, (colonial connotation of Governor of Lamu) and his Knighted brother Sir Ali Bin Salim K.B.E, C.M.G was the Assistant Liwali of Mombasa. For ease of reference we enclose the gazette notice (Supplement to the London Gazette of the 5th June 1920) indicating the rank and posit of Shiekh Ali Bin Salim C.B.E Assistant Liwali of Mombasa and whose father Salim Bin Khalfan was the Liwali of Mombasa.

Vide ours dated the 10th August 2023 we did seek the Indenture of the executor of the Will of Sir Sheikh Ali Bin Salim executor of the Will of Seif Bin Salim the Official position as denoted vide yours dated the 27th September 2023 is that this crucial document was missing.

Having now crucially located this Indenture we do seek the following:-

i. Immediate Certification and acknowledgement of the said Indenture and your offices entry of the said indenture in the respect folios and LTs as duly depicted in the said Indenture.

ii. Immediate recommendation of cancellation of all the titles issued illegally in respect of PLOT NO.219/XVII/ NO. 232/XVII which was done as Sub-divisions to cover-up the existence of the will which is emphatic that these are trust/Wakfs for the poor Mohamedans in Mombasa.

iii. The Indenture Will be entered in the respective folios as denoted and any transactions consequent without reference to the Indenture Will be deemed as fraud suitable for recommendations of cancellation.

Kindly expedite to noting time is of essence in lieu of the disenfranchisement of lawful, legal populace who face evictions due to the anomalies, duly invoking the statutory powers of your office.

Yours Sincerely,

GEORGE EGUNZA

GEORGE EGUNZA & ASSOCIATES ADVOCATE

C.c.

Client

Encl.

Mombasa Office LOTUS PLAZA 1ST FLOOR CATHEDRAL LANE OFF NKRUMAH ROAD

P.O.BOX 86883-80100 MOMBASA

george_egunza@gmail.com

REPUBLIC OF KENYA

MINISTRY OF LANDS, PUBLIC WORKS, HOUSING AND URBAN DEVELOPMENT
STATE DEPARTMENT FOR LANDS AND PHYSICAL PLANNING

DEPARTMENT OF LANDS,
P.O. BOX 80053-80100
MOMBASA.

Telephone: N/A

When replying please quote:

Ref: MSA/LND. GEN. 4/1/2024

30th May, 2024

George Egunza & Associates Advocates,
Lotus Plaza, 1st Floor, Cathedral Lane ,
Off Nkrumah Road,
P.O. Box 86883 – 80100,
MOMBASA

ATT: GEORGE EGUNZA

RE: WILL FOR PLOTS NO. 232/XVII & 219/XVII - MOMBASA

Your letter ref. No. GE/HISTORICAL INJUSTICE/1/2022 dated 24th May, 2024 refers.

Kindly note that the Registrar is not in a position to cancel any title already issued as it is the mandate of the Court.

G. O. NYANGWESO
LAND REGISTRAR
MOMBASA

ETHICS AND ANTI-CORRUPTION COMMISSION
RECEIVED
15 MAY 2024
LOWER COAST REGIONAL OFFICE, MOMBASA

13th May, 2024

HOUSE OWNERS

ATT. MR. NDIEMA
ETHIC'S & ANTI-CORRUPTION COMMISSION (EACC)
MOMBASA OFFICE.

Dear Sir,

RE: LAND INJUSTICE AND FRAUD ON PLOT 219 [illegible]
1068 AND 5 EXL MSA

We are residents of Mombasa, we wish to [illegible]
office For Advisory and Investigation on a possible [illegible]
land fraud done through Mombasa land registry.

Please see attached booklet and supporting documentation [illegible]
reference.

Issues to be put to question;

- Historical land injustice to the community.
- Authority to Register New Title deeds.
- Subdivision of sub-plots without SURRENDERING the Original Title deed and the will.
- Non traceable will at the Registry
- Salim bin Self Properties Limited Registration and Directorship
- Trust deed Documentation
- Trust Certificate Registration and Directors Profiles
- Sub-divided plots of plot 232/XVII, 219/XVII, plot [illegible]
  Title deed Registration.

It's our humble Request to Ask for your Assistance in this Investigation & Advisory.

Yours faithfully,
Hon. Rajab Sumba
Mr. Farah Abdulahi Haji
Mr. Najib Shamson

THIS INDENTURE made the 1st day of [illegible]
thousand nine hundred and thirty seven BETWEEN SIR ALI
bin Salim K.B.E.,C.M.G. as Trustee under and by virtue
of an Indenture of Trust dated the 20th day of December
1934 registered in the Mombasa Registry in Volume [illegible]
on Folio 194/4 (hereinafter called the first Party which
expression shall be deemed to include his executors adminis-
trators successors and assigns) of the one part AND
the said Sir Ali bin Salim as Trustee under and by virtue
of an Indenture of Trust dated the 26th day of Septemb
1935 registered in the Mombasa Registry in Volume [illegible]
on Folio 189/4, 190/4 and 191/4 (hereinafter called the
Second Party which expression shall be deemed to include
his heirs executors administrators successors and assigns)
of the other part WHEREAS all the trusts covered by the
said Indenture of trust were created by the said Sir Ali
bin Salim in his capacity as executor of the Will of
late brother Seif bin Salim to carry out and give effect
to the provisions of the said Will and in respect of
properties belonging to the estate of the said Seif bin
Salim AND WHEREAS the provisions as to the appointment
of Trustees in both cases are the same AND WHEREAS in
order to carry out the trusts comprised in the [illegible]
on the 26th day of September 1935 there is not [illegible]
not likely that there will be for a very considerab
time to come sufficient income coming to the hands of
the Second Party AND WHEREAS owing to the increasing po
of poor Mohamedans it is imperative that [illegible]
should be made for the ac[illegible]ition of plots of

THIS INDENTURE made the [illegible] thousand nine hundred and thirty seven [illegible] bin Salim K.B.E., C.M.G., as Trustee under and by [illegible] of an Indenture of Trust dated the 20th day of December 1934 registered in the Mombasa Registry in Volume [illegible] on Folio 194/4 (hereinafter called the First Part [illegible] expression shall be deemed to include his executors [illegible] trators successors and assigns) of the one part AND the said Sir Ali bin Salim as Trustee under and by virtue of an Indenture of Trust dated the 26th day of September 1935 registered in the Mombasa Registry in Volume [illegible] on Folio 189/4, 190/4 and 191/4 (hereinafter called the Second Party which expression shall be deemed to include his heirs executors administrators successors and assigns) of the other part WHEREAS all the trusts covered by the said Indenture of trust were created by the said Sir Ali bin Salim in his capacity as executor of the Will of his late brother Seif bin Salim to carry out and give effect to the provisions of the said Will and in respect of properties belonging to the estate of the said Seif bin Salim AND WHEREAS the provisions as to the appointment of Trustees in both cases are the same AND WHEREAS in order to carry out the trusts comprised in the Indenture of the 26th day of September 1935 there is not and [illegible] not likely that there will be for a very considerable time to come sufficient income coming to the hands of the Second Party AND WHEREAS owing to the increasing number of poor Mohamedans it is imperative that arrangements should be made for the acquisition of plots [illegible]

do in order that all the trusts could be made at the same time and provision might be made from time to time to give effect to the trusts comprised in the said Indenture of the 26th day of September 1935 NOW THIS INDENTURE WITNESSETH that in pursuance of the premises the First Party undertakes to provide, purchase and acquire for the use of poor Mohamedans more land in the vicinity of Mombasa as and whenever required AND the Second Party as Trustee aforesaid DOTH HEREBY grant and convey unto the First Party his executors administrators nominees successors and assigns the hereditaments and premises comprised in the Indenture of the 26th day of September 1935 TO HOLD the same as part and parcel of the trusts comprised in the said Indenture of the 20th day of December 1934.

IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals the day and year first above written.

SIGNED SEALED AND DELIVERED by the said First Party in the presence of:-

[signature]

and of:-

[signature]

SIGNED SEALED AND DELIVERED by the said Second Party in the presence of:-

[signature]

and of:-

[signature]

For the purpose of stamp duty value assessed according to Municipal Site Valuation:-

Plot No.31/XVI Plot No.219/XVII Plot No.252/XVII

Sh. 17808/- Sh. 39420/- Sh. 50420/-

THE

SCHEDULE OF PROPERTIES

1. All that piece or parcel of land situated in the District of Mombasa in the Mombasa Municipality known as Plot No.31/XVI containing 0.5936 of an acre or thereabouts more particularly delineated and described on Deed Plan No.27452 attached to Certificate of Title dated 15th day of December 1930 and registered in the Mombasa Registry on Folio 189/1 of Volume L.T.IX.

2. All that piece or parcel of land situated in the District of Mombasa Municipality known as Plot No. 219/XVII containing 1.577 acres or thereabouts more particularly demarcated and delineated on Plan No. 27138 attached to Certificate of Title dated the 15th day of December 1930, registered in the Mombasa Registry on Folio 190/1 of Volume L.T.IX.

3. ALL THAT piece or parcel of land situated in the District of Mombasa Municipality (Island) known as Plot No.232 of Section XVII containing 3.02 acres or thereabouts more particularly demarcated and delineated on Plan No.27147 attached to Certificate of Title dated the 15th day of December 1930 issued to Sir Ali bin Salim K.B.E., C.M.G., Executor of the Will of the Seif bin Salim and registered in the Mombasa Registry on Folio 191/1 of Volume L.T.IX.

Dated the 16th day of June 1937

SIR ALI BIN SALIM K.B.E., C.M.G., AS TRUSTEE UNDER AN INDENTURE OF TRUST DATED THE 20TH DAY OF SEPTEMBER 1934

AND

SIR ALI BIN SALIM K.B.E., C.M.G., AS TRUSTEE UNDER AN INDENTURE OF TRUST DATED THE 26TH DAY OF SEPTEMBER 1935.

CONVEYANCE

Plots Nos. 31/XVI, 219 & 232/XVII

Mombasa.

BY:-

R. M. DOSHI

ADVOCATE, MOMBASA.

Stamp Duty Sh. 10/-

Registration Fees Sh. 26/-

Sh. 36/-

MOMBASA REGISTRY

Registered at 8.40 a.m. 15 7 1937

Day Book No.	Volume	Folio	Date
687	L.T. IX	189/5	1034
~	L.T. IX	190/5	1035
~	L.T. IX	191/5	1036

50322

Reg.

179

Government House,
Mahrosi,
British East Africa.

[illegible] Africa Protectorate.
Confidential No. 86.

16th September 1913.

Sir,

With reference to my Confidential despatch No 117 of 29th October 1912 on the subject of the conditions of service of the Arab Staff at the Coast, I have the honour to submit for your favourable consideration the case of Seif bin Salim, Liwali of Lamu.

2. This official has for the past three years been seconded for work connected with the Arbitration Board and I am satisfied that he has performed his duties with diligence and that his influence and tact have facilitated settlement by arbitration in the Coast area.

3. It appears that in response to representations made to him in 1912 my predecessor either promised definitely or held out hopes that an improvement in the [illegible] of [illegible] Seif bin Salim and of his brother Sheikh Ali bin Salim, Assistant Liwali of Mombasa, would be effected.

4. This was done in the case of the latter, who now draws pay at the rate of £400 rising by increments to £500, but not in that of Seif bin Salim whose salary is only £280 a year.

5/.

[illegible] Right Honourable

ANDREW BONAR LAW, P.C.M.P.,

Secretary of State for the Colonies,

[illegible]

(1)

COLONY AND PROTECTORATE OF KENYA.

TOWN PLANNING (AMENDMENT) ORDINANCE, 1927.

CERTIFICATE OF TITLE.

I GEORGE JAMES ROBBINS Registrar of Titles do hereby certify that SIR ALI BIN SALIM K. B. E. C. M. G. as Executor of the Will of Seif bin Salim deceased

is the proprietor of an estate in fee (together with the mineral Rights) in that piece of land situated in the District of Mombasa, in the Mombasa Municipality. (Island). and which is demarcated and delineated on the plan No. 27138 attached hereto and shewn bordered with red and numbered 219 Sec. XVII and containing 1.577 acres or thereabouts and subject to such mortgages and other interests (if any) as hereunder written. and also to the Land Titles Ordinance (Chapter 145 of the Revised Edition of the Laws of Kenya).

In Witness whereof I have hereunto set my hand and seal this 15th day of December 1930.

G J Robbins L. S.

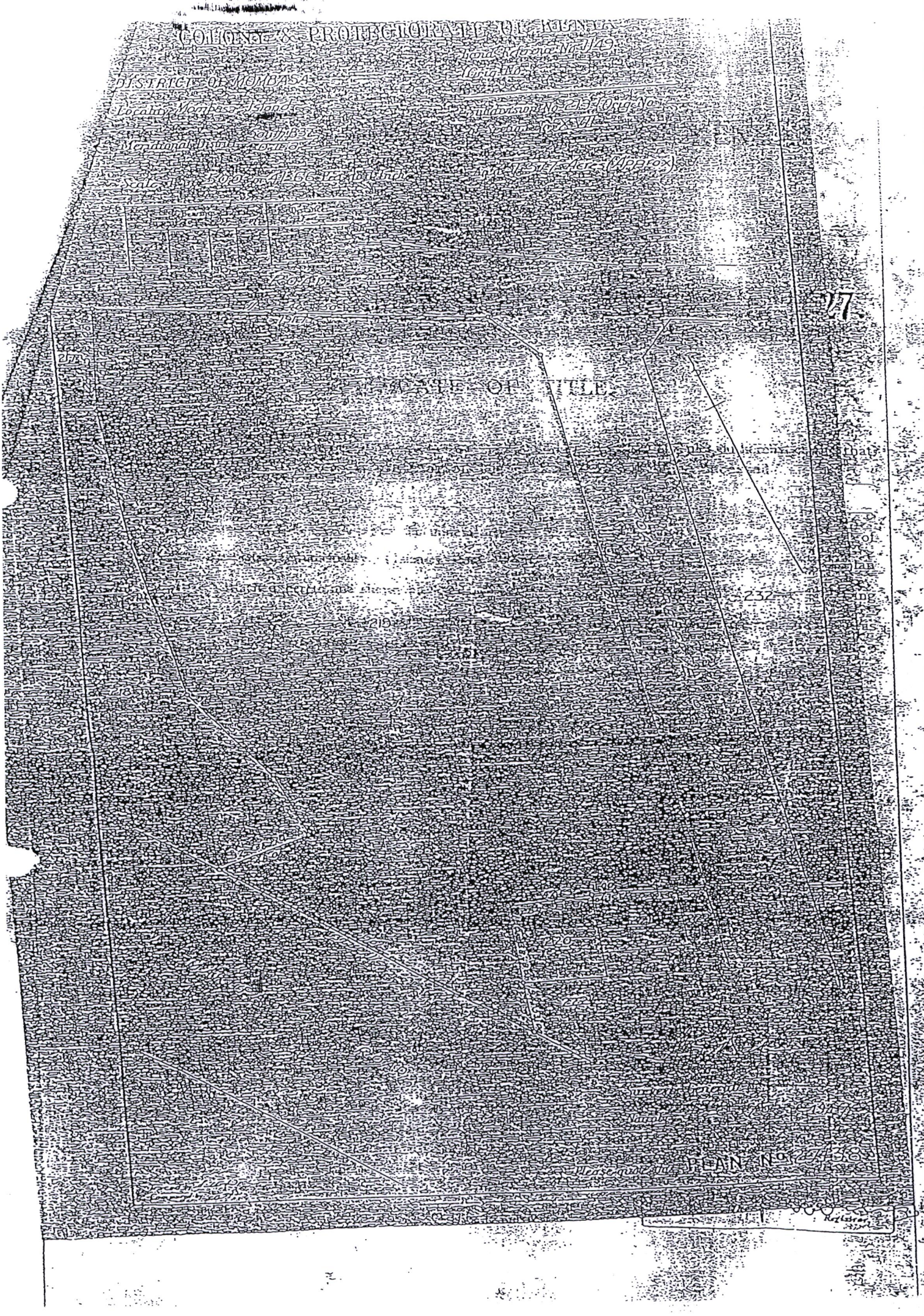
Registrar of Titles.

Mortgages and other interests above referred to:

EAST AFRICA PROTECTORATE
MOMBASA REGISTRY.
Registered at 3-11 for 15-18 1930.

Day Book No.	Volume.	Folio.	File.
371	LT. IX	190/1	1035

G J Robbins
Registrar.


COLONY & PROTECTORATE OF KENYA
DISTRICT OF MOMBASA
Locality Mombasa Island
Meridional District
Scale 1 in 500 or 41.66 Feet to 1 Inch
Area 1.517 Acres (Approx)
27
PLAN No

COLONY AND PROTECTORATE OF KENYA.

TOWN PLANNING (AMENDMENT) ORDINANCE, 1927.

CERTIFICATE OF TITLE.

I GEORGE JAMES ROBBINS Registrar of Titles do hereby certify that SIR ALI BIN SALIM K. B. E. C. M. G. as Executor of the Will of Seif bin Salim deceased

is the proprietor of an estate in fee (together with the mineral Rights) in that piece of land situated in the District of Mombasa, in the Mombasa Municipality. (Island). and which is demarcated and delineated on the plan No. 27138 attached hereto and shewn bordered with red and numbered 219 Sec. XVII and containing 1.577 acres or thereabouts and subject to such mortgages and other interests (if any) as hereunder written. and also to the Land Titles Ordinance (Chapter 145 of the Revised Edition of the Laws of Kenya)

In Witness whereof I have hereunto set my hand and seal this 15th day of December 1930

L. S.

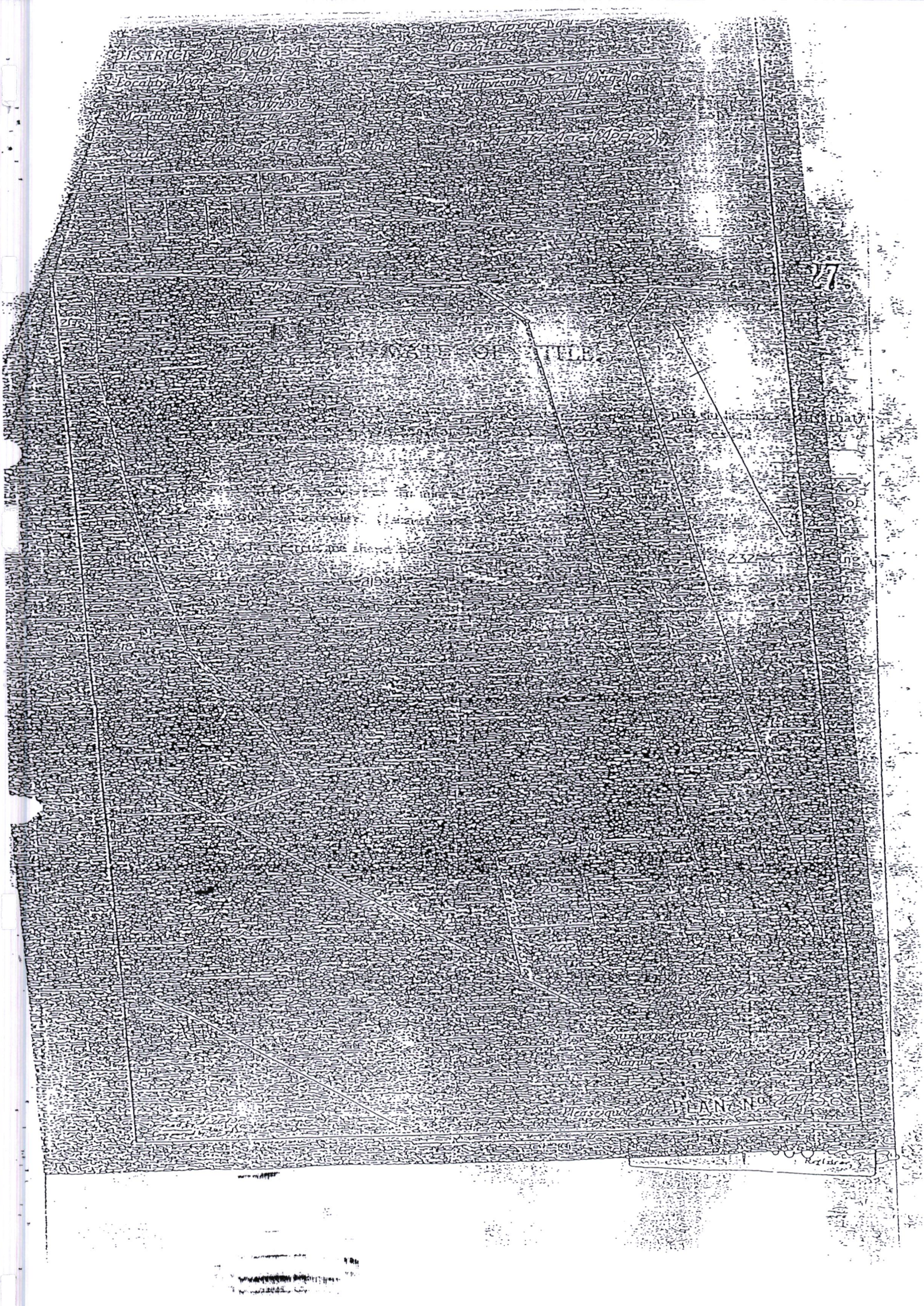
Registrar of Titles.

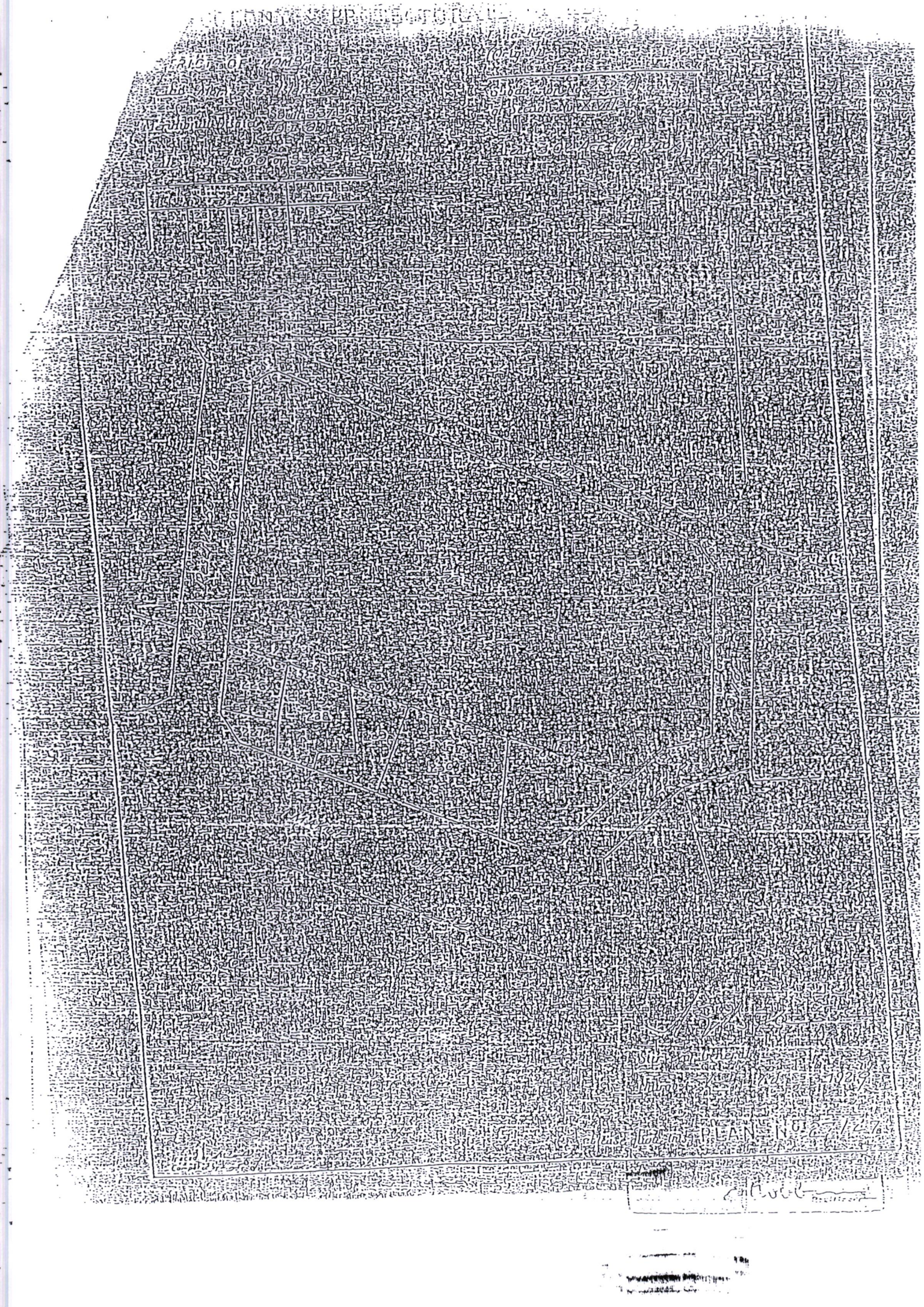
Mortgages and other interests above referred to:

EAST AFRICA PROTECTORATE
MOMBASA REGISTRY.
Registered at 11 o'clock on the 15 day of 12 1930.

Book No.	Volume.	Folio	Fol.
371	LT. IX	190/1	1035

Registrar.





To be Companions of the said Most Exalted Order:—

William John Joseph Howley, Esq., Chief Engineer, Public Works Department, Madras.

John Loader Maffey, Esq., C.I.E., Indian Civil Service, Chairman of the Corporation of Calcutta, Bengal.

Charles Frederick Payne, Esq., Indian Civil Service, Chairman of the Corporation of Calcutta, Bengal.

Jean Louis Rieu, Esq., Indian Civil Service, Bombay.

Bertram Prior Standen, Esq., C.I.E., Indian Civil Service, Commissioner, Central Provinces and Berar.

Chancery of the Order of Saint Michael and Saint George, Downing Street, 5th June, 1920.

The KING has been graciously pleased, on the occasion of His Majesty's Birthday, to give directions for the following promotions in and appointments to the Most Distinguished Order of Saint Michael and Saint George:—

To be Ordinary Members of the Second Class, or Knights Commanders of the said Most Distinguished Order:—

Geoffrey Francis Archer, Esq., C.M.G., Governor and Commander-in-Chief, Somaliland Protectorate.

The Honourable William Elliot Johnson, Speaker of the House of Representatives, Commonwealth of Australia.

The Honourable Sir Charles Gregory Wade, Kt., K.C., lately Agent-General for the State of New South Wales.

Denison Samuel King Miller, Esq., Governor of the Commonwealth Bank of Australia.

To be an Honorary Member of the Second Class, or Knights Commanders of the said Most Distinguished Order:—

His Highness Mohamed Jemalulalam, C.M.G., Sultan of Brunei.

To be Ordinary Members of the Third Class, or Companions of the said Most Distinguished Order:—

James Richard Collins, Esq., Secretary to the Department of the Treasury, Commonwealth of Australia.

Crawford Douglas Douglas-Jones, Esq., Resident Commissioner in Southern and Northern Rhodesia.

Joseph Adolphe Duclos, Esq., Member of the Council of Government, Mauritius.

Walter Augustus Gale, Esq., Clerk of the House of Representatives, Commonwealth of Australia.

Edward Blackwell Jarvis, Esq., Chief Secretary to the Government, Uganda Protectorate.

James Comyn Macgregor, Esq., Resident Commissioner, Bechuanaland Protectorate.

Hugh Charlie Marshall, Esq., Visiting Commissioner, Northern Rhodesia.

Stephen Mills, Esq., Comptroller-General, Department of Trade and Customs, Commonwealth of Australia.

Colonel Gerald Henry Summers, Deputy Commissioner and Officer Commanding the Troops, Somaliland Protectorate.

To be an Honorary Member of the Third Class or Companions of the said Most Distinguished Order:—

Sheikh Ali bin Salim, C.B.E., Assistant Liwali of Mombasa.

Chancery of the Order of Saint Michael and Saint George, Downing Street, 5th June, 1920.

The KING has been graciously pleased, on the occasion of His Majesty's Birthday, to give directions for the following promotion in and appointments to the Most Distinguished Order of Saint Michael and Saint George:—

To be an Ordinary Member of the First Class, or Knights Grand Cross of the said Most Distinguished Order:—

The Right Honourable Sir John Newell Jordan, G.C.I.E., K.C.B., K.C.M.G., lately His Majesty's Envoy Extraordinary and Minister Plenipotentiary to the Republic of China.

To be an Ordinary Member of the Second Class, or Knights Commanders of the said Most Distinguished Order:—

Beilby Francis Alston, Esq., C.B., His Majesty's Envoy Extraordinary and Minister Plenipotentiary to the Republic of China.

To be Ordinary Members of the Third Class, or Companions of the said Most Distinguished Order:—

Robert Gilbert Vansittart, Esq., M.V.O., Counsellor of Embassy in His Majesty's Diplomatic Service.

William Frank Arthur Rattigan, Esq., First Secretary in His Majesty's Diplomatic Service.

Commander Gerald Talbot, R.N.V.R., O.B.E., Naval Attaché to His Majesty's Legation at Athens.

CENTRAL CHANCERY OF THE ORDERS OF KNIGHTHOOD.

St. James's Palace, S.W. 1, 5th June, 1920.

The KING has been graciously pleased, on the occasion of His Majesty's Birthday, to make the following promotion in, and appointments to, the Most Eminent Order of the Indian Empire:—

To be Knights Commanders of the said Most Eminent Order:—

John Ghest Cumming, Esq., C.S.I., C.I.E., Indian Civil Service, Member of the Executive Council, Bengal.

Captain His Highness Nawab Taley Muhammad Khan Sher Muhammad Khan, Nawab of Palanpur, Bombay.

Herbert John Maynard, Esq., C.S.I., Indian Civil Service, Financial Commissioner, Punjab.

REPUBLIC OF KENYA

MINISTRY OF LANDS, PUBLIC WORKS, HOUSING AND URBAN DEVELOPMENT
STATE DEPARTMENT FOR LANDS AND PHYSICAL PLANNING

Telegram
Telephone: 041/2312914

When replying please quote:
Ref: MSA/LND. GEN. 3/658

DEPARTMENT OF LANDS,
P.O. BOX 80053-80100
MOMBASA.

27th September, 2023

Gorge Egunza & Associates Advocates
P.O. Box 86883-80100
MOMBASA

RE: WILL FOR PLOTS NO. 232/XVII & 219/XVII/219 - MOMBASA

Refer to the above subject matter.

The above said Will of Sir Sheikh Ali Bin Salim C.B.E. Assistant Liwali of Mombasa in respect of Plots No. 232 and 219 Section XVII cannot be traced in our files.

G. O. Nyangweso
LAND REGISTRAR
MOMBASA

15 AUG 2023
RECEIVED
P.O. Box 26321-80100, MOMBASA

GEORGE EGUNZA & ASSOCIATES ADVOCATES

GEORGE EGUNZA LLB (MOI) HON.DIP.KSL

C Ref: GE/HISTORICAL INJUSTICES/17 22 10th AUGUST 2023

YOUR REF: T.B.A

DEPARTMENT OF LANDS
RECEIVED
15/08/2023
MOMBASA

The Land Registrar

Mombasa County Land Registrar

Uhuru Na Kazi Building

State House Road

MOMBASA

@2100/2

Already paid
LR 2329-80247

Dear Sir,

RE: FORGERY, OWNERSHIP OF PARCELS OF LAND NOT DEMACATED AND OUTRIGHT DISINFRANCHISEMENT OF LOCAL POPULANCE IN RESPECT OF PLOT NO. 232/XVII & 219/XVII - MOMBASA

29/8/23

The above captioned matter refers:-

Kindly but urgently do let us have the will of Sir, Sheikh Ali Bin Salim C.B.E Assistant Liwali of Mombasa in respect of the proprietorship of PLOT NO. 232 SECTION XVII and PLOT NO. 219 SECTION XVII respectively as per your reference sheet, LT 637/4.

It is purported that as per Certificate of Title in respect of 232 & 219 SECTION XVII, Sir Ali Bin Salim K.B.E.C.M.G is the Executor of the Will of SEIF BIN SALIM (DECEASED) the sons of SALIM BIN KHALFAN (LIWALI OF MOMBASA).

We enclose the requisite documents to lead and for purposes of reference.

We undertake to pay your requisite charges.

Thanks in advance.

Yours Faithfully,

GEORGE EGUNZA & ASSOCIATES ADVOCATES
RECEIVED
10 AUG 2023
P.O. Box 26321-80100, MOMBASA

To pay kshi
2100/2

GEORGE EGUNZA

GEORGE EGUNZA & ASSOCIATES ADVOCATES

C. c. 1. Client

11/8/23

2. The Chair National Land Commission

NAIROBI

3. National Land Commission

MOMBASA

4. The Deputy Registrar

Environment & Land Court

Mombasa Law Courts

P. O Box 90140 80100

MOMBASA

Mombasa Office LOTUS PLAZA 1ST FLOOR CATHEDRAL LANE OFF NKRUMAH ROAD

P.O.BOX 86883-80100 MOMBASA

george_egunza@gmail.com

RESOLUTION

RESOLUTION

WE, SEIF SAID, LAILA MOHAMED SEIF AND SEIF BIN SALIM being the continuing trustees of SEIF BIN SALIM TRUST acting under the Trust Deed dated the 20th day of December One Thousand Nine Hundred and Thirty Four registered inter alia on Folio 194/4 volume LT IX of Mombasa Registry and as Joint Trustees under the said Trust Deed do hereby agree and resolve that the Deed of Appointment dated the 15th day of January One Thousand Nine Hundred and Ninety Nine and the Resolution of the same dated be registered at the Land Registry Mombasa against the following titles to land:-

1. 219/XVII/MSA
2. 232/XVII/MSA
3. 623/I/MN
4. 975/VI/MN
5. 302/XVI/MSA
6. 301/XVI/MSA

SIGNED by LAILA MOHAMED SEIF or her own Behalf and or behalf of the other trustees this 1st day of February 2002

Laila M. Seif

In the presence of:-

MARIE KARIUKI
ADVOCATE
P. O. Box [illegible]
MOMBASA

DEPARTMENT OF LANDS, PLANNING & HOUSING

a Tower
ex. 3rd floor
ru Road
). Box 81599-80100
)MBASA

Telephone
Wireless: 020
Email: planning@mombasa.go.ke

In accordance with By-Law No. 3 of the Mombasa Municipality (Building & Sub-division) BY-Laws, I certify that the following Sub-division's has been approved by the County Government subject to the following conditions:-

Subdivision Nos. 1722 to 1803 (inclusive) (Original No. part of 232) Section XVII Mombasa Island.

FOR: DIRECTOR PHYSICAL PLANNING

SIGN: ..... DATE: 8/8/2016

DIRECTOR
PLANNING & LANDS DEPARTMENT
COUNTY GOVERNMENT OF MOMBASA

Administrative Approval Committee Min. No. AAC 03/2015(item No. 1)
Adopted on 11th March 2016.

Form 1

COLONY AND PROTECTORATE OF KENYA

SURVEY AND REGISTRATION DEPARTMENT

REFERENCE SHEET

The document mentioned below has been registered against this Title as No. LT. 9/8191/2

A copy of the document has been placed in Deed File No. LT. 637/3

Nature of Document Order of Supreme Court Mombasa

Date of Document 12th March 1931

Date of Registration 22nd September 1932

Parties H.M. Supreme Court of Kenya Mombasa to Sir Ali bin Salim as Guardian of Said bin Seif a minor

Plot No. 232 Sec XVII Orig. No. Mombasa

Area 3.02 acres

Registrar

COLONY AND PROTECTORATE OF KENYA

SURVEY AND REGISTRATION DEPARTMENT

REFERENCE SHEET

The document mentioned below has been registered against this Title as No. LT. 9/A191/3

A copy of the document has been placed in Deed File No. LT. 637/4

Nature of Document Release

Date of Document 18th August 1932

Date of Registration 22nd September 1932

Parties By Nasser bin Said bin Salim as Executor and Will of Said bin Salim bin Khalfan deceased.

L.R. No. 232 Sec. XVII Dist. Mombasa

Area 3.02 acres

E. H. Lloyd
Registrar

REPUBLIC OF KENYA

THE REGISTERED LAND ACT

(Chapter 300)

Title Deed

Title Number MOMBASA/BLOCK XVII/232

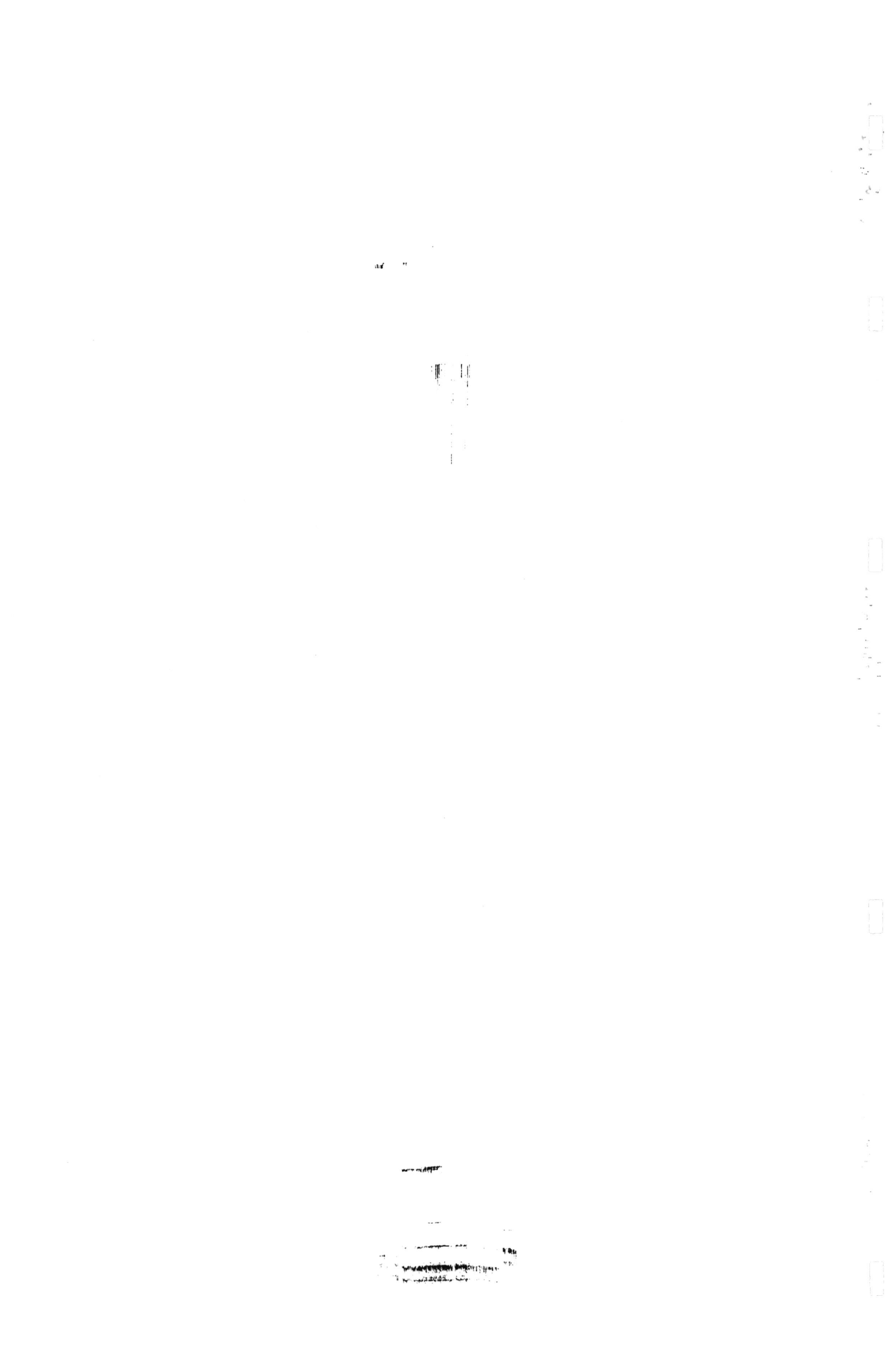
Approximate Area 5.02 acres

Registry Map Sheet No. MOMBASA/BLOCK XVII

This is to certify that SEIF SAID, LAILA MOHAMED SEIF and SEIF BIN SALIM (As Trustees of SEIF BIN SALIM TRUST = = = = = = = = = =

is (are) now registered as the absolute proprietor(s) of the land comprised in the above-mentioned title, subject to the entries in the register relating to the land and to such of the overriding interests set out in section 30 of the Registered Land Act as may for the time being subsist and affect the land.

GIVEN under my hand and the seal of the MOMBASA District Land Registry this 15th day of February, 20 02



(To be completed only when the applicant has paid the fee of Sh. 125)

the date stated on the front hereof, the following entries appeared in the register relating to the land:

ON: 1

ED:

PART A—PROPERTY SECTION

GISTRATION SECTION	EASEMENTS, ETC.	NATURE OF TITLE
A/BLOCK XVII		
ARCEL NUMBER		
232		
APPROXIMATE AREA		ABSOLUTE
2 Acres Ha.		
GISTRY MAP SHEET No.		
/BLOCK XVII		

PART B—PROPRIETORSHIP SECTION

TRY O.	DATE	NAME OF REGISTERED PROPRIETOR	ADDRESS AND DESCRIPTION OF REGISTERED PROPRIETOR	CONSIDERATION AND REMARKS	SIGNATURE OF REGISTRAR
1	15/2/2002	Seif Said, Laila Mohamed Seif and Seif Bin Salim (As trustees of Seif Bin Salim Trust)			
2	15/2/2002	TITLE DEED ISSUED			

QAMAR PLAZA
Turkana Street, Behind Na Manen
1st Floor, Suite No. 2
P. O. Box 87482 - 80100
Cellphone - +254 722 [illegible]
Mombasa, Kenya
Email: edwardkiguru@yahoo.com

- Cadastral surveys
- Topographical surveys
- Engineering surveys
- Mapping surveys
- Land consultants

SURVEY FIELD HQ
30 JUN 2016
RUARAKA - NAIROBI

Our Ref: C/CAD/4511

June 24 , 2016

Your Ref:

THE DIRECTOR OF SURVEYS
NAIROBI.

Dear Sir,

PARCEL No. 1722-1803 , formerly (Subdivision of MI/XVII/232),
(F/R No. 421/76-78 & COMPS No. 68761)

Please refer to your letter *Ref. No. CT 12/Vol.10/215 dated 21/06/2016,* approving my above-indicated Survey.

In this connection , please amend , sign and seal the RIM, and release the same to me by post.

Yours Faithfully,

E.M.J. KIGURU
LICENSED SURVEYOR.
Encls. ( )

EDWARD M. J. KIGURU
LICENSED SURVEYOR

SURVEY
RECEIVED KSH 107,200
089085
C9465736
30/6/16

REPUBLIC OF KENYA

MINISTRY OF LANDS, PUBLIC WORKS, HOUSING AND URBAN DEVELOPMENT
STATE DEPARTMENT FOR LANDS AND PHYSICAL PLANNING

Telegram
Telephone: 041/2312914

When replying please quote:
Ref: MSA/LND. GEN. 3/658

DEPARTMENT OF LANDS,
P.O. BOX 80053-80100
MOMBASA.

27th September, 2023

Gorge Egunza & Associates Advocates
P.O. Box 86883-80100
MOMBASA

RE: WILL FOR PLOTS NO. 232/XVII & 219/XVII/219 - MOMBASA

Refer to the above subject matter.

The above said Will of Sir Sheikh Ali Bin Salim C.B.E. Assistant Liwali of Mombasa in respect of Plots No. 232 and 219 Section XVII cannot be traced in our files.

G. O. Nyangweso
LAND REGISTRAR
MOMBASA

REPUBLIC OF KENYA

THE REGISTERED LAND ACT

(Chapter 300)

Title Deed

Title Number MOMBASA/BLOCK XVII/219

Approximate Area 1.577 Acres

Registry Map Sheet No. MSA/BLOCK XVII

This is to certify that SAID BIN SEIF, LAILA MOHAMED SEIF and SEIF SAID (As Trustees of Seif Bin Selim Trust) P.O. Box 81160 MOMBASA = = = = = =

is (are) now registered as the absolute proprietor(s) of the land comprised in the above-mentioned title, subject to the entries in the register relating to the land and to such of the overriding interests set out in section 30 of the Registered Land Act as may for the time being subsist and affect the land.

GIVEN under my hand and the seal of the MOMBASA District Land Registry this 6th day of May, 20 02

(To be completed only when the applicant has paid the fee of Sh. 135

t the date stated on the front hereof, the following entries appeared in the register relating to the land:

ION: 1

ED:

PART A—PROPERTY SECTION

REGISTRATION SECTION	EASEMENTS, ETC.	NATURE OF TITLE
A/BLOCK XVII		
PARCEL NUMBER 219		
APPROXIMATE AREA 577 Acres Hz		ABSOLUTE
REGISTRY MAP SHEET No. SA/BLOCK XVII		

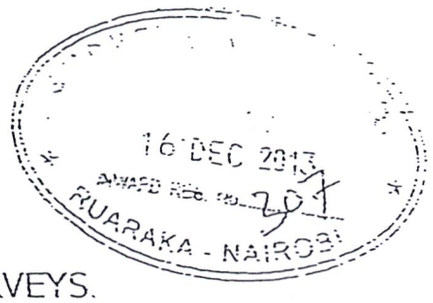
PART B—PROPRIETORSHIP SECTION

ENTRY NO.	DATE	NAME OF REGISTERED PROPRIETOR	ADDRESS AND DESCRIPTION OF REGISTERED PROPRIETOR	CONSIDERATION AND REMARKS	SIGNATURE OF REGISTRAR
3	6/5/2002	Said Bin Seif, Laila Mohamed Seif and Seif Said (As Trustees of Seif Bin Salim Trust) P.O. Box 81160 Mombasa			
4	6/5/2002	LAND TITLE DEED ISSUED			
2	19/8/1995	Caution in favour of Amer Hassan Mohamed claiming "Tenancy Interest" see attached agreement			

EKG EDWARD KIGURU LAND SURVEYORS

SURVEY CENTRE,
City Grocers Bldg, 1st Floor
Haile Selassie Road (Opp. Blue Room)
P. O. Box 87482-80100
Tel: 041 - 2230724
Mombasa, Kenya
Email: edwardkiguru@yahoo.com

Cadastral surveys
Topographical surveys
Engineering surveys
Mapping surveys
Land consultants



Our Ref: C/CAD/4105

November 28, 2013

Your Ref: 313/16/12/2013

THE DIRECTOR OF SURVEYS.
NAIROBI.

Dear Sir,

SUBDIVISIONAL SURVEY : MI/XVII/219 , M'SA MUNICIPALITY.

I enclose herewith the following documents in connection with above indicated Survey, for favour of your processing:-

1). Two (2) leaves - Field Note cover.
2). 19 leaves - Field Notes.
3). Two (2) pages - Surveyors Report and Index to Comps.
4). 56 pages - Computations.
5). Two (2) Survey plans : *Form No. 2*, Form No.4, plus linen copies.
6). Certified True Copies (CTC's) of the Approval documents:
- including Form PPA2 , DLO'S letter , & the Approved Scheme Plan.
7). Certified true copy of the title document.

Yours faithfully,

E.M.J. KIGURU.
LICENSED SURVEYOR.
Encl ( )

PS : Please acknowledge receipt of the above documents by signing and returning enclosed copy of this letter.

ORIGINAL

Re-inserted in Register Book.

No. 799

LAND TITLES ORDINANCE 1908.

SCHEDULE I. FORM B.

EAST AFRICA PROTECTORATE.

CERTIFICATE OF OWNERSHIP.

I Adrian John Maclean Recorder of Titles do hereby certify that Sheikh Salim bin Khalfan Elbusaid Liwali of Mombasa

is the proprietor of an estate in fee (together with the mineral Rights) (1) in that piece of land situate in the Province of Seyidie at Mombasa and which is demarcated and delineated on the plan No. 6884 deposited in the Office of the Recorder of Titles at Mombasa and thereon numbered 6/III/I and containing 2.835 acres or thereabouts and subject to such mortgages and other interests (if any) as hereunder written. (2)

[illegible] /XVII — PLOT No 1068/XVII

IN WITNESS whereof I have hereunto set my hand and seal this 20th day of January 1917.

Certificate Fee Rs 6/-
Survey Fee Rs 5/-

[signature] L. S.

RECORDER OF TITLES.

Fees Paid
Date 22nd March 1917
[signature]

Mortgages and other interests above referred to

SAID SEIF BIN SALIM
Box 81379-80100
TEL. 7223961
MOMBASA

East Africa Protectorate.
Registered at Mombasa
Volume No. V Folio 182
Date 14th February 1917
Hour 10.30 a.m.
[signature]
Registrar

EAST AFRICA PROTECTORATE

PROVINCE OF SEYIDIE

DISTRICT OF MOMBASA

Locality Mombasa Township

Scale 1:1000 or 83.33 feet to One Inch

Co-Ordinates.

Referred to Equator &			Longitude
		feet	

Sheik Salim bin [illegible]

Land Office No

Subdivision No 5

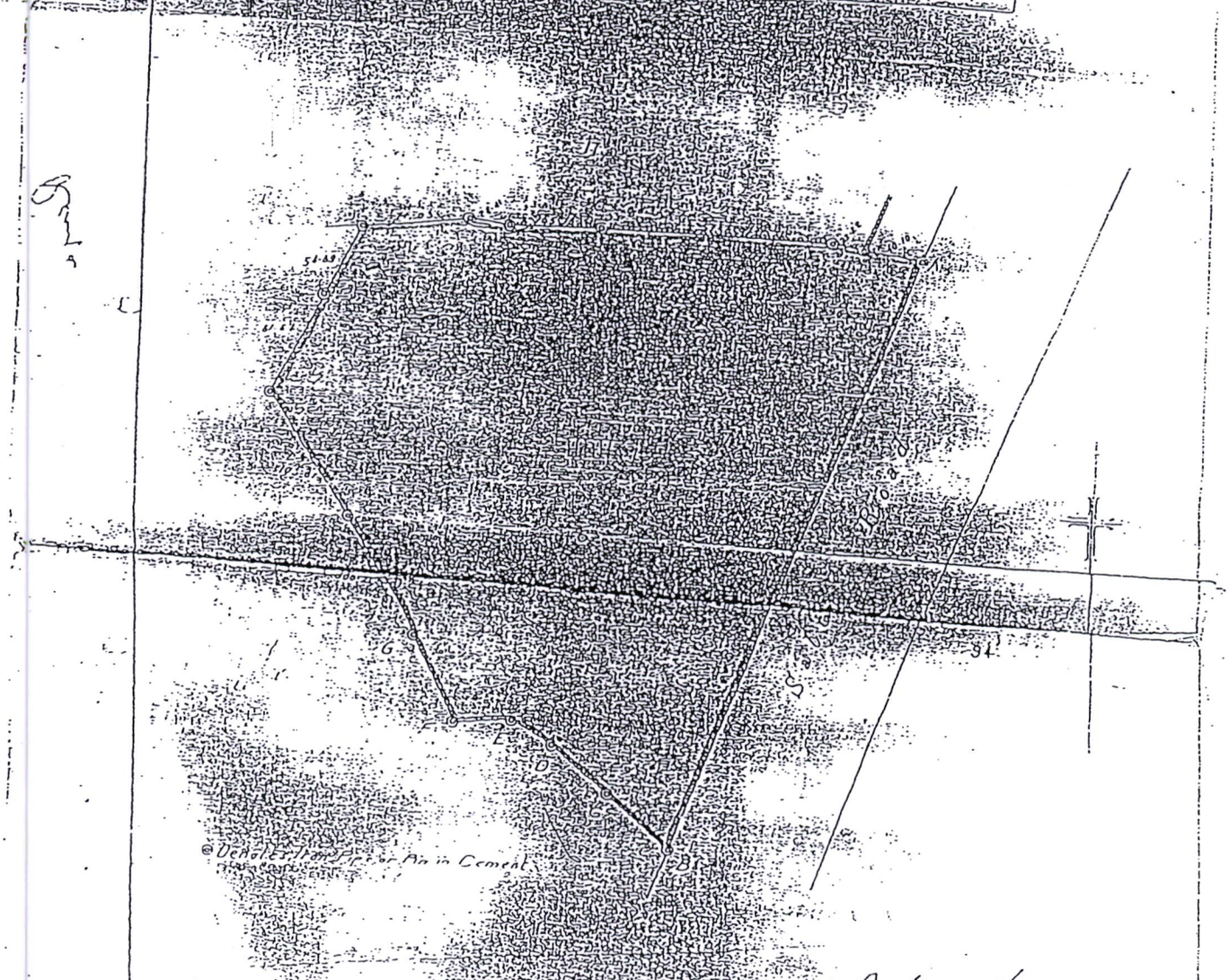
of Section No III

of Portion No I

of Meridional District

Area: 2 835 Acres (Approx.)

Bearings.				Distances Feet
A-B	200	41	33	473.72
B-C	371	52	02	55.18
C-D	309	49	02	50.86
D-E	238	00	52	34.83
E-F	264	56	03	40.64
F-G	357	10	08	61.57



Nairobi July 21st 1916

A. E. Townsend

Deputy-Director of Surveys, Cadastral Branch

A. J. [illegible]

Recorder of Titles

PLAN No 6884

SEIF BIN SALIM
Box [illegible]
TEL. [illegible]
MOMBASA

File L T. 2[illegible]

Inserted in Register Book. No. 325

LAND TITLES ORDINANCE 1908.

SCHEDULE I. FORM B.

EAST AFRICA PROTECTORATE

CERTIFICATE OF OWNERSHIP.

I, Adrian John Maclean Recorder of Titles do hereby certify that Sheikh Salim bin Khalfan Luwali of Mombasa

e proprietor of an estate in fee (together with the mineral Rights) (1) in that piece of land situate in the Province Seyidie at Malindi and which is demarcated elineated on the plan No. 3619 deposited in the Office of the Recorder of Titles at Mombasa and thereon bered 39 M.D. S.A. 34 W.L. and containing 1033 93 acres or thereabouts and ~~subject to such gages and other interests (if any) as hereunder written.~~ (2)

[illegible] day of [illegible] 1913.

Certificate Fee Rs 207/-
Survey Fee Rs 1034/-

Fees Paid
Date 16-12-1913
[illegible]
Resident of Title Mombasa

A. J. Maclean L.S.
RECORDER OF TITLES.

Mortgages and other interests above referred to:

East Africa Protectorate.
Registered at Malindi
Volume No. 7 Folio 482
Date 21-7-1913.
Hour 9 a.m.
[illegible]
Registrar.

File LT 25/1.

PROVINCE OF S. PROVINCE.

DISTRICT OF MALINDI

Locality. To W of Malindi Township

Scale 1 in 25000
or 1 inch to 2083·33 feet.

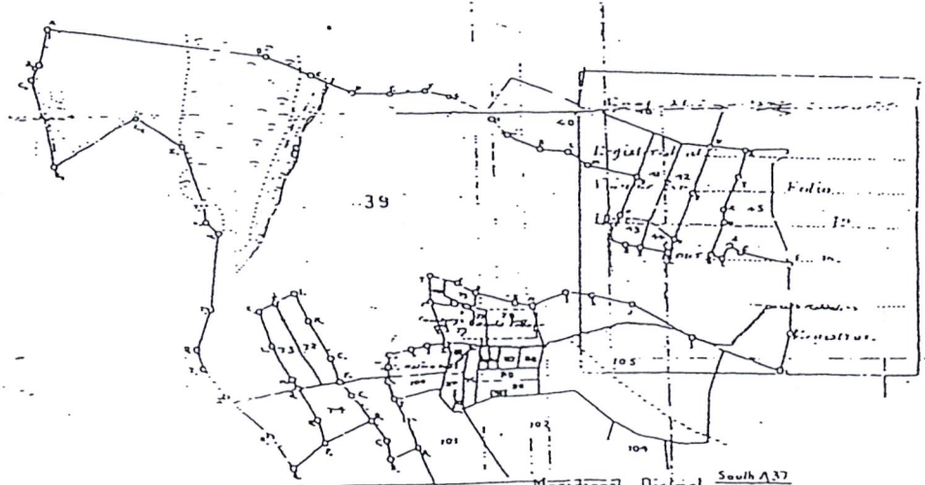
Shaikh Salim bin Khalfan.
Re-Subdivision No
of Subdivision No
of Section No
of Portion No. 39.

Area: 1033 93 Acres (Approx)

Coordinates Feet	
1	2

Bearings °	′	″	Distances feet
A-B	136	34	30	383·3
B-C	246	34	30	859·3
C-D	343	61	30	307·1
D-E	323	49	30	485·1
E-F	263	84	30	371·3
F-G	314	86	30	240·2
G-H	342	87	30	449·8
H-J	268	46	30	773·1
J-K	333	84	30	347·7
K-L	291	33	30	380·1
L-M	242	28	30	332·8
M-N	135	25	30	134·6
N-P	148	27	30	715·5
P-Q	130	43	30	172·2
Q-R	102	37	30	170·1
R-S	230	15	30	422·6
S-T	324	33	30	608·4
T-U	321	14	30	633·1
U-V	321	15	30	633·3
V-W	344	29	30	360·3
W-X	15	11	30	232·0
X-Y	8	14	30	133·7
Y-Z	303	03	30	109·0
Z-A	350	37	30	311·0
A-B	339	11	30	1429·1
B-C	264	25	30	339·8
C-D	237	25	30	342·8
D-E	347	33	30	1223·3
E-F	63	14	30	311·4
F-G	98	37	30	577·2

Bearings °	′	″	Distances feet
A-B	95	33	40	3916·6
B-C	114	31	40	845·3
C-D	119	02	40	800·6
D-E	30	39	30	674·3
E-F	84	01	40	641·2
F-G	101	04	00	431·9
G-H	116	59	40	748·0
H-J	145	36	40	235·0
J-K	140	25	00	388·7
K-L	114	18	50	624·0
L-M	35	19	50	685·1
M-N	185	51	40	418·7
N-P	186	07	10	807·1
P-Q	264	08	10	710·4
Q-R	280	11	10	670·4
R-S	101	50	00	241·1
S-T	100	03	30	231·3
T-U	100	13	30	546·0
U-V	100	13	30	304·6
V-W	83	03	30	27·6
W-X	122	37	30	398·6
X-Y	156	03	30	211·6
Y-Z	253	58	20	609·7
A-B	206	46	20	437·7
B-C	210	11	20	641·0
C-D	200	13	20	231·6
D-E	177	13	20	811·2
E-F	29	13	20	255·3
F-G	123	45	20	889·5
G-H	281	78	20	314·5
H-J	281	16	20	1667·0
J-K	68	41	20	691·5
K-L	289	41	20	1636·3
L-M	238	42	20	1207·3
M-N	238	16	20	733·4
N-P	277	08	20	485·5
P-Q	242	08	40	622·3
Q-R	274	00	00	294·2
R-S	285	42	50	706·9
S-T	224	53	10	464·0
T-U	194	28	10	607·0
U-V	173	14	20	986·7
V-W	137	28	20	766·3
W-X	262	48	10	343·9
X-Y	233	36	10	234·7
Y-Z	257	36	10	417·7
A-B	187	11	30	613·0
B-C	186	45	10	286·0
C-D	185	51	10	348·0
D-E	190	11	10	425·4



Meridional District South A.37 N.E.A.

East Africa Protectorate.

Registered at Malindi

License No. 1 Folio 482

Date 21-7-1913 Nairobi May 22nd 1913

Hour 4 P.M.

[illegible] Asst. Director of Surveys, Coastal Branch.

Registrar

RECORDER OF TITLE

No 3619.

P & A 41

Grant of Letters of
Administration Intestate

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT MOMBASA

SUCCESSION CAUSE NO H.C 94 OF 2011

IN THE MATTER OF THE ESTATE OF THE LATE LIWALI SHEIKH SALIM BIN KHALFAN (DECEASED)

BE IT KNOWN that on the 20TH JULY, 2011-- letters of Administration intestate of all the estate of LIWALI SHEIKH SALIM BIN KHALFAN Deceased late of MOMBASA...who died domiciled in KENYA...on the 20TH OCTOBER, 1917 at MOMBASA .which by law devolves to and vests in his/her personal representative were granted to (1) RAMADHAN IDD AND (2) BAKARI OMAR both OF P.O. BOX 2562, MOMBASA they having undertaken faithfully to administer such estate according to law and to render a just and true account therefore whenever required by law so to do.

ISSUED by the High Court through the registry at MOMBASA this 5TH AUGUST, 2011.

M. ODERO
JUDGE OF THE HIGH COURT

P & A 54

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT MOMBASA

SUCCESSION CAUSE NO 94 OF 2011

IN THE MATTER OF THE ESTATE OF THE LATE LIWALI SHEIKH SALIM BIN KHALFAN (DECEASED)

CERTIFICATE OF CONFIRMATION OF A GRANT

I HEREBY certify that the above written Grant of representation to the estate of the late LIWALI SHEIKH SALIM BIN KHALFAN issued to RAMADHAN IDD AND BAKARI OMAR herein named has this 31ST day of AUGUST 2012 been confirmed by the Court pursuant to the Provisions of Section 71(1) and (3) of the Law of Succession Act.

Dated at Mombasa this 11TH day of SEPTEMBER 2012.

LADY JUSTICE M. ODERO
JUDGE OF THE HIGH COURT

SCHEDULE

ame	Description of Property	Share of Heir
L. JUMA HASSAN 2. MUSA HASSAN 3. JUMA OMAR 4. SABURI SHEBANI 5. BAKARI OMAR 6. MOHAMED IBRAHIM 7. RAMADHANI IDD	1. PLOT NO. 120 MGURULENI 2. PLOT NO. 39 MGURULENI 3. PLOT NO. 46 JUA LA KUTWA 4. PLOT NO. 121 FURUNZI	

SHARE OF HEIR

TO BE DISTRIBUTED IN ACCORDANCE WITH ISLAMIC SHARIA

GOVERNMENT NOTICE No 238

THE COMMISSION OF INQUIRY ORDINANCE, 1912

A COMMISSION

I, Edward Northey, Major-General of His Majesty's Forces, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Companion of the Most Honourable Order of the Bath, Governor and Commander-in-Chief of the East Africa Protectorate, do, in exercise and by virtue of the powers conferred upon me by the Commission of Inquiry Ordinance, 1912, Section 3, by this my Commission under my hand, alter the Commission issued under the aforesaid Ordinance by CHARLES CALVERT BOWRING, Knight Commander of the Most Excellent Order of the British Empire, Companion of the Most Distinguished Order of Saint Michael and Saint George, then Acting Governor of the East Africa Protectorate, and dated the 27th day of May, 1920, (Government Notice No 202) by appointing RONALD DONALD, ESQUIRE, to be a Commissioner to inquire into and report on the matters the subject of inquiry of such aforesaid Commission of the 27th day of May, 1920, in addition to the Commissioners therein appointed

Given under my hand at Nairobi this 17th day of July, 1920

EDWARD NORTHEY,
Governor and Commander-in-Chief

GOVERNMENT NOTICE No 239

THE TOWN PLANNING ORDINANCE, 1919

APPOINTMENT OF AUTHORITY AND ORDER TO PREPARE A TOWN PLANNING SCHEME FOR MOMBASA

IN EXERCISE of the powers conferred upon the Governor-in-Council by the Town Planning Ordinance, 1919, Section 3 (1), His Excellency the Governor in Council has been pleased to appoint —

T AINSWORTH DIXON, ESQ, M C
A E GARLAND, ESQ
J I COX, ESQ
W BOYS HINDERER, ESQ, M C
CAPT S A JONES
THE HON SHEIKH ALI BIN SALIM, C M G, C B E
THE HON ABDUL RASUL, M B E
THE HON C M DALAL
MR SHAMSHER SINGH
MR HAMIS BIN MOHAMED BIN JUMA

to be the authority for the purposes of the said Ordinance Further His Excellency the Governor-in-Council has been pleased to order the said authority to prepare a town planning scheme in respect of any land situated within the Island of Mombasa

By command of His Excellency the Governor-in-Council

Nairobi,
The 17th day of July, 1920

H MALPASS,
Clerk to the Executive Council

GOVERNMENT NOTICE No 240

THE NATIVE AUTHORITY ORDINANCE, 1912

NOTICE

IN EXERCISE of the powers thereunto enabling me, I hereby appoint the following person named in the Schedule annexed hereto to be Official Headman for the area named therein

Nairobi,
July 16th, 1920

JOHN AINSWORTH,
Chief Native Commissioner

SCHEDULE

Name	Rank	Location	District	Province	Remarks
Onsandu s/o Aguta	Headman	Majauge	South Kavirondo	Nyanza	*Vice* Headman Ayoka, retired

---

GOVERNMENT NOTICE No 241

OBITUARY

HIS Excellency deeply regrets to announce the death at Mombasa on the 10th instant of the Liwali of Mombasa, SHEIKH SALIM BIN KHALFAN, C M G, SHEIKH SALIM, who was over 80 years of age at the time of his death, had been in the service of the Sultans of Zanzibar and of the Protectorate Government for over 60 years During the early part of his career he rendered invaluable assistance in the suppression of the slave trade and subsequently his ability and loyalty won him the admiration and respect of all Government Officers who came into contact with him during his 37 years tenure of the post of Liwali of Mombasa The integrity of his character and his profound knowledge of Mohammedan law caused him to be venerated and revered by the Arabs and Swahilis of the Coast and his death will be deeply lamented by all classes of the community In him has passed away a great and striking personality and the most conspicuous link between the old regime and the present administration of the country

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GENERAL NOTICE No 816

RIPON FALLS

NOTICE

THE Uganda Government is prepared to consider applications for the granting of a Concession for the sole right to develop a portion of the Ripon Falls near Jinja for the purpose of generating and distributing electricity in the surrounding district and for the supply of electricity to Kampala and possibly Entebbe and to plantations en route

2 Full particulars may be obtained on application to this office

Entebbe,
21st July, 1920

E B JARVIS,
Chief Secretary

1068.

ORIGINAL

Re-Inserted in Register Book

No. 799

LAND TITLES ORDINANCE 1908.

SCHEDULE I. FORM B.

EAST AFRICA PROTECTORATE.

CERTIFICATE OF OWNERSHIP.

I Adrian John Maclean Recorder of Titles do hereby certify that Sheikh Salim bin Khalfan Elbusaid Liwali of Mombasa

the proprietor of an estate in fee (together with the mineral Rights) (1) in that piece of land situate in the Province Seyidie at Mombasa and which is demarcated and delineated on the plan No. 6884 deposited in the Office of the Recorder of Titles at Mombasa and thereon numbered 6/III/I and containing 2·835 acres or thereabouts and subject to such mortgages and other interests (if any) as hereunder written. (2)

In Witness whereof I have hereunto set my hand and seal this 25th day of January 1917.

Certificate Fee Rs 67/-
Survey Fee Rs 35/-

[signature] L. S.

Recorder of Titles.

Fees Paid
Date 22nd March 1917
[signature]

Mortgages and other interests above referred to

SAID SEIF BIN SALIM
Box 81474-80100
TEL 7223961
MOMBASA

East Africa Protectorate.
Registered at Mombasa
Volume No. V Folio 182
Date 14th February 1917
Hour 10.30 a.m.
[signature]
Registrar

EAST AFRICA PROTECTORATE

PROVINCE OF SEYDIE

DISTRICT OF MOMBASA

Locality Mombasa Township

Scale 1:1000 or 83.33 Feet to One Inch

Shelk Salim [illegible]

Land Office No

Subdivision No 6

of Section No III

of Portion No I

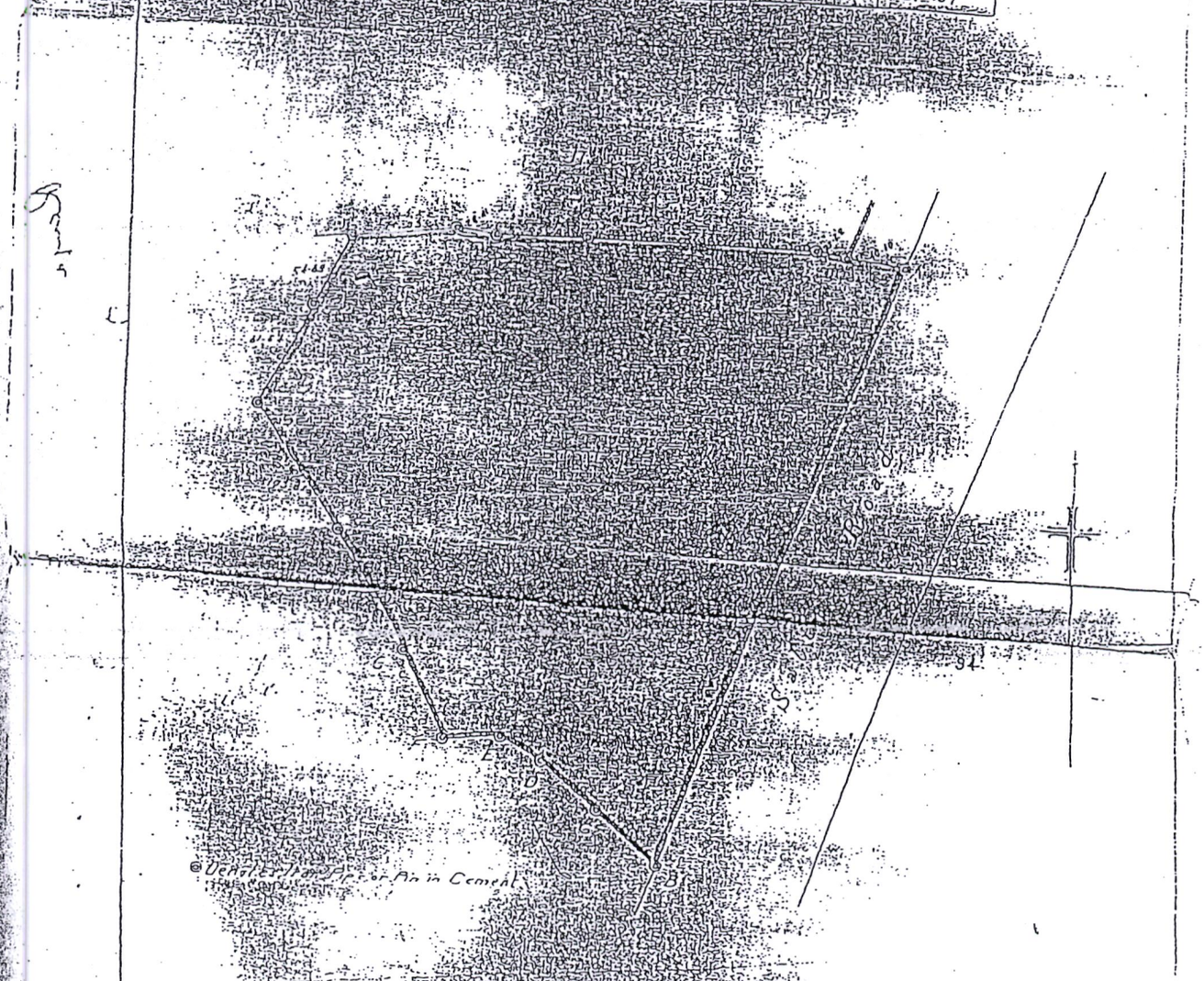
of Meridional District

Area 2 635 Acres [illegible]

Co-Ordinates.

Referred to Equator &			E. Longitude
		Feet	

Bearings.				Distances Feet
A B	200	41	33	473.72
B C	311	52	02	65.18
C D	309	49	02	50.88
D E	298	00	52	34.83
E F	264	56	03	40.64
F G	387	10	08	61.87



Nairobi July 21st 1916

A. J. Mantle

Deputy-Director of Surveys, Cadastral Branch

Recorder of Titles

PLAN No 6884

BIN SALIM
MBASA

Registrar letter

REPUBLIC OF KENYA

MINISTRY OF LANDS, HOUSING AND URBAN DEVELOPMENT

Telegram
Telephone: 041/2312914

DEPARTMENT OF LANDS,
P.O. BOX 80053-80100
MOMBASA.

When replying please quote:

Ref.No. CF 34549

9th January 2015

Hassan Hashi Shirwa,
P. O. Box 42314 - 80100,
MOMBASA.

RE: APPLICATION FOR OFFICIAL SEARCH PLOT NO. MOMBASA/BLOCK XVII/1068

Your application for official search vide DB NO. 13 of the January 2015 refer.

Kindly be informed that according to the records held herein with regard to the aforesaid piece or parcel of land it confirms the said parcel as freehold in tenure and the absolute interest holders are: (1) MAYA BINTI SALIM and (2) SAID BIN SEIF as tenants in common in equal shares. It measures Nought Decimal Seven Nine Two Nine (0.7929) Hectares or thereabouts. The plot was created after subdivisions of original plot No. MSA/BLOCK XVII/951 as confirmed vide entry on LT 35 folio 237/1 and the County Government of Mombasa (formerly Municipal Council of Mombasa) record card opened on the 2nd May 1965.

The above preliminary information is based on the reconstructed file and copy of the certificate of ownership dated 20/1/1917 provided for verification.

Thank you.

HASHIM G.S
LAND REGISTRAR
MOMBASA

9.01.15

Surveyors letter

EDWARD KIGURU LAND SURVEYORS

SURVEY CENTRE,
City Grocers Bldg. 1st Floor
Haile Selassie Road (Opp. Blue Room)
P. O. Box 87482-80100
Cellphone: +254 723 672 570
Mombasa, Kenya
Email: edwardkiguru@yahoo.com

Cadastral surveys
Topographical surveys
Engineering surveys
Mapping surveys
Land consultants

Our Ref: C/CAD/4220

Your Ref:

September 15 , 2014

THE DIRECTOR OF SURVEYS
NAIROBI.

Dear Sir,

EXCISION (out of) : MI/XVII/1068 , M'SA MUNICIPALITY.

I enclose herewith the following documents in connection with above Survey, for favour of your processing :-

1). One (1) leaf - Field Note cover.
2). One (1) leaf - Field Notes.
3). One (1) page - Surveyors Report and Index to Comps.
4). Four (4) pages - Computations.
5). One (1) Survey plan : *Form No. 3* , plus its linen copy.
6). Certified True Copies (CTC's) of the Approval documents :
- *incl. FormPPA2 , DLO'S letters, & the Approved Scheme Plan.*
7). Certified True Copy (CTC) of the Title Deed document.

Yours faithfully,

E.M.J. KIGURU.
LICENSED SURVEYOR.

EDWARD M. J. KIGURU
LICENSED SURVEYOR

Encl ( )

PS : Please acknowledge receipt of the above documents by signing and returning enclosed copy of this letter.

ORIGINAL

...ed in Register Book.

No. 3119

Colonial Lands

COLONY AND PROTECTORATE OF KENYA.

LAND TITLES ORDINANCE 1908.

SCHEDULE I. FORM B.

CERTIFICATE OF OWNERSHIP.

I Adrian John Maclean Recorder of Titles do hereby certify that Herbert Payne, Edwin Soar, John Kenneth Addie, Frank Sydney Hatton, and Arnold Ehrenberg as tenants in common are the proprietors of an estate in fee (together with the mineral Rights) (1) in that piece of land situate in the Province of Seyidie at N.E. of Port Tudor and which is demarcated and delineated on the plan No. 15063 deposited in the Office of the Recorder of Titles at Mombasa and thereon numbered 360 of Sec. II and containing Nine hundred seventeen acres (9 1/2) or thereabouts and subject to such mortgages and other interests (if any) as hereunder written. (2)

In Witness whereof I have hereunto set my hand and seal this 2nd day of August 1922

Certificate Fees Sh. 1834/-

Survey " Sh. 650/-

FEES PAID

Date 19th January 1923

A. J. Maclean L. S.

RECORDER OF TITLES.

Mortgages and other interests above referred to:

DEPT. OF LANDS, E.A.P.

Land Registration Division. Coast Registry, Mombasa.

Presented 8/8/1922. Registered No. C.R. 1920/2

Time 2 p.m. [signature]

Registrar of Titles

Be it known that pursuant to a transfer registered in the Registry of Titles at Mombasa on the 25th day of March 1924 as No. C.R. 1920/2 Newitt and Company Limited are now the registered proprietors of the piece of land described in the herein before written Certificate.

Mombasa dated this 25th day of March 1924.

[signature]

Registrar of Titles

THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THIS TITLE:—

C.R. 1920/3

Certificate by Registrar of Joint Stock Companies to the effect that Newitt Company Limited is now called Kasini Limited

Presentation No. 80/38 Date of Registration 25/1/38

[signature]

REGISTRAR OF TITLES

THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THIS TITLE:—

CR. 1920/4

Transfer to John Rees Stephens

Presentation No. 1405/43 Date of Registration 11/11/43 REGISTRAR OF TITLES

THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THIS TITLE:—

CR. 1920/5

Transfer to Abdulrehman bin Miran

Presentation No. 375/47 Date of Registration 14/3/47 REGISTRAR OF TITLES

C.R. 1920/6

Lease:- To Mrs. Mabel Evelyn Van Waltrop

Term 99 years from 1st July 1951

(Title No. CR. 9614 issued.)

Presentation No. 1426/51 Date of Registration 28/7/51

Title no. 9614 is closed as the interest lease held when the 2 merged free held.

THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THE TITLE

Grant of Probate [illegible] in the estate of Abdulrehman Bin Miran (Deceased) to 1) Shamsa Abdulrehman Miran and 2) Fatu Abdulrehman Miran as the Executrix.

161 Date of Registration 24-1-84 Registrar

THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THE TITLE

Transfer to THATHIINI DEVELOPMENT COMPANY LIMITED.

162 Date of Registration 24-1-84 Registrar

OLONY AND PROTECTORATE OF KENYA

TOWN PLANNING (AMENDMENT) ORDINANCE, 1927.

CERTIFICATE OF TITLE.

I GEORGE JAMES ROBBINS Registrar of Titles do hereby certify that SIR ALI BIN SALIM K. B. E. C. M. G. as Executor of the Will of Seif bin Salim deceased

is the proprietor of an estate in fee (together with the mineral Rights) in that piece of land situated in the District of Mombasa, in the Mombasa Municipality. (Island). and which is demarcated and delineated on the plan No. 27138 attached hereto and shewn bordered with red and numbered 219 Sec. XVII and containing 1.577 acres or thereabouts and subject to such mortgages and other interests (if any) as hereunder written. and also to the Land Titles Ordinance (Chapter 143 of the Revised Edition of the Laws of Kenya).

In Witness whereof I have hereunto set my hand and seal this 15th day of December 1930.

G. J. Robbins L. S.

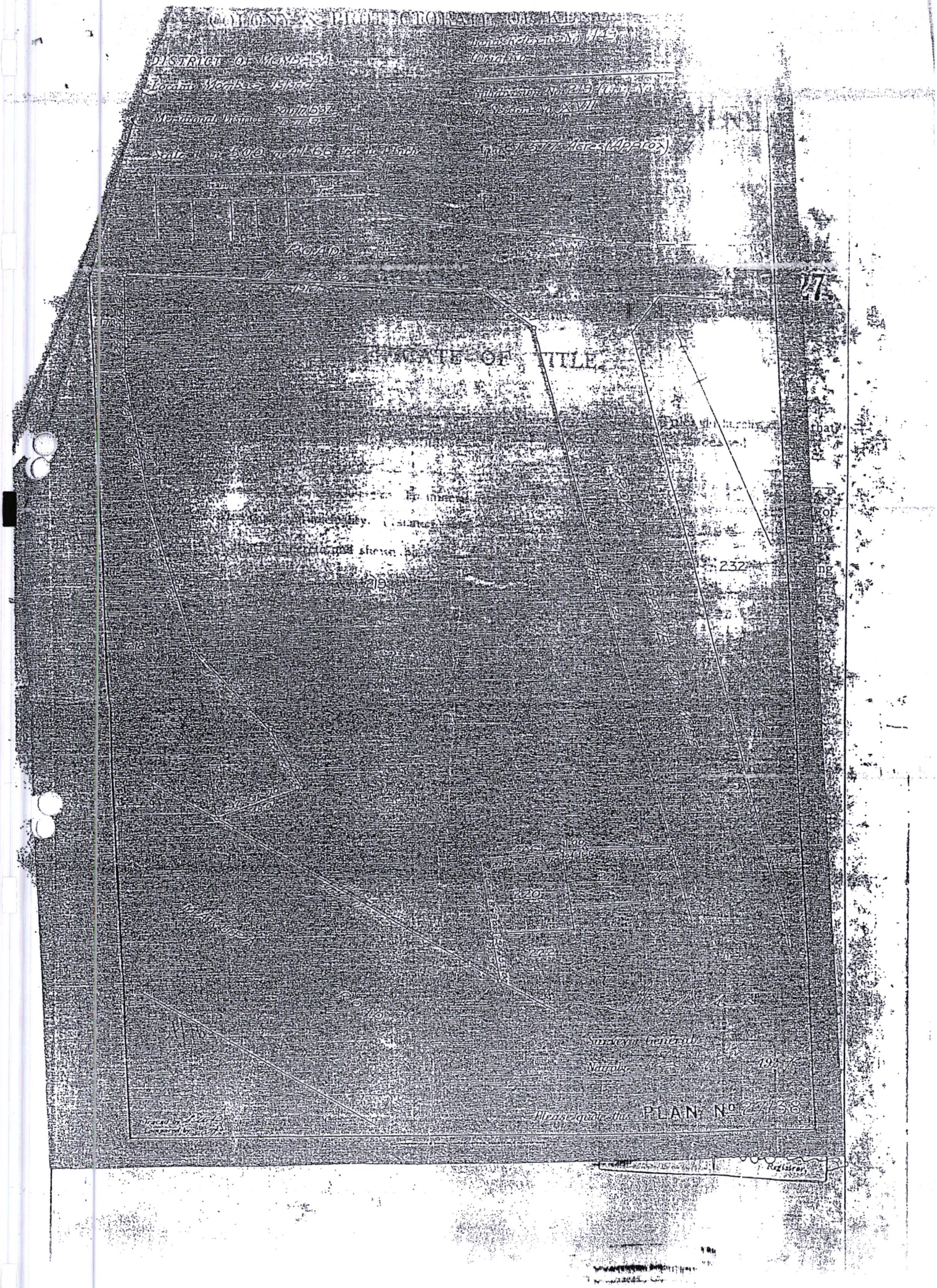
Registrar of Titles.

Mortgages and other interests above referred to:

EAST AFRICA PROTECTORATE
MOMBASA REGISTRY.
Registered at 8.11 / 15 - 13 1930

Day Book No.	Volume	Folio	File
374	LT. IX	190/1	1035

G. J. Robbins
Registrar



COLONY & PROTECTORATE OF KENYA

Land Reference No. 1149
(Orig. No.)

DISTRICT OF MOMBASA

Locality Mombasa Island

Subdivision No. 219 (Orig. No.)
of Section No. XVII

Meridional District South 837
(Dist. 19)

Scale 1 in. 500 or 41.66 Feet to 1 Inch

Area 7.577 Acres (Approx.)

Bearing

Distance

ROAD

27

[illegible] OF TITLE

[illegible]

219

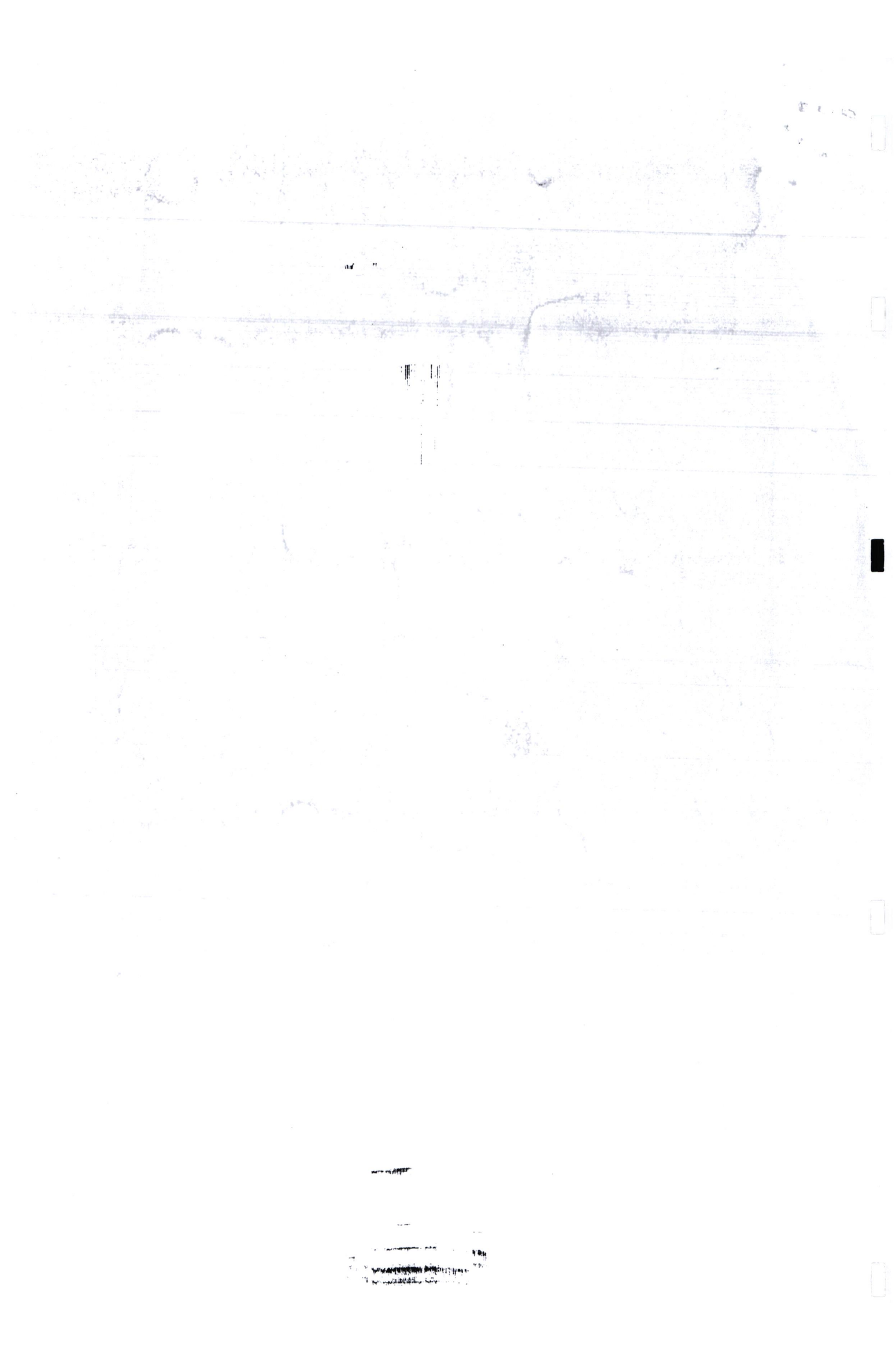
232

Surveyor General

Nairobi [illegible] 1937

Please quote this PLAN No. 27138

Registrar



COLONY AND PROTECTORATE OF KENYA

TOWN PLANNING (AMENDMENT) ORDINANCE, 1927.

CERTIFICATE OF TITLE.

I GEORGE JAMES ROBBINS Registrar of Titles do hereby certify that SIR ALI BIN SALIM K. B. E. C. M. G. as Executor of the Will of Salt bin Salim deceased

is the proprietor of an estate in fee (together with the Mineral Rights) in that piece of land situated in the District of Mombasa in the Mombasa Municipality (Island) and which is demarcated and delineated on the plan No. 8/147 attached hereto and shewn bordered with red and numbered 252 Sec. XVII and containing 0.02 acres or thereabouts and subject to such mortgages and other interests (if any) as hereunder written and also to the Land Titles Ordinance (Chapter 143 of the Revised Edition of the Laws of Kenya)

In Witness whereof I have hereunto set my hand and seal this 15th day of December 1930.

G. J. Robbins L. S.

Registrar of Titles.

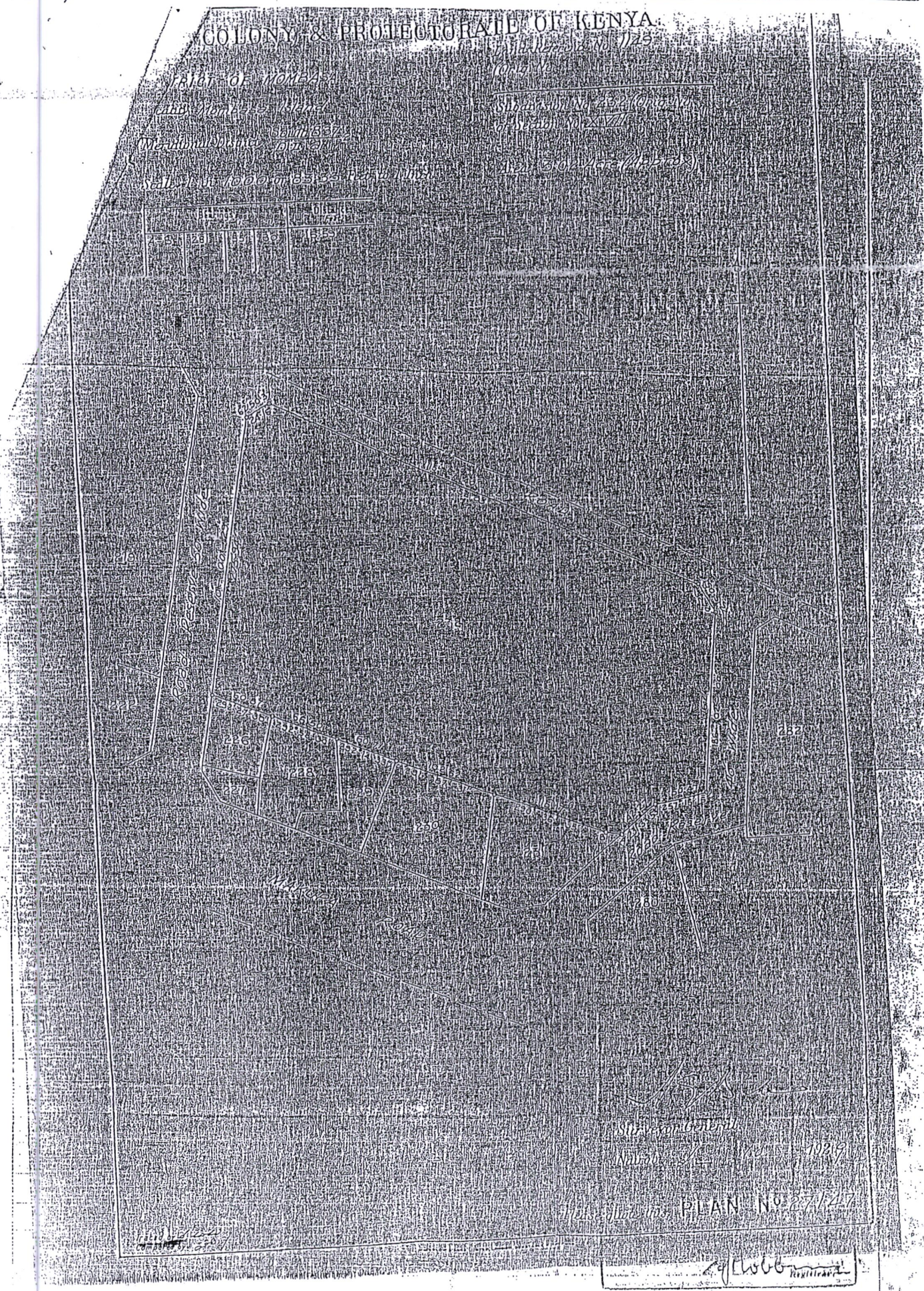
Mortgages and other interests above referred to:

EAST AFRICA PROTECTORATE.
MOMBASA REGISTRY.

Entry No.	Volume	Folio	File
345	L T IX	19/11	1036

G. J. Robbins
Registrar

COLONY & PROTECTORATE OF KENYA



REPUBLIC OF KENYA

THE REGISTERED LAND ACT

(Chapter 300)

Title Deed

Title Number MOMBASA/BLOCK XVII/232

Approximate Area 5.02 acres

Registry Map Sheet No. MOMBASA/BLOCK XVII

This is to certify that SEIF SAID,

LAILA MOHAMED SEIF and SEIF BIN SALIM (As Trustees of

SEIF BIN SALIM TRUST = = =

= = = = =

is (are) now registered as the absolute proprietor(s) of the land comprised in the above-mentioned title, subject to the entries in the register relating to the land and to such of the overriding interests set out in section 30 of the Registered Land Act as may for the time being subsist and affect the land.

GIVEN under my hand and the seal of the

MOMBASA District Land Registry

this 15th day of February, 20 02

(To be completed only when the applicant has paid the fee of Sh. 125)

At the date stated on the front hereof, the following entries appeared in the register relating to the land:

EDITION: 1

OPENED:

PART A—PROPERTY SECTION

REGISTRATION SECTION	EASEMENTS, ETC.	NATURE OF TITLE
MSA/BLOCK XVII		
PARCEL NUMBER		
232		
APPROXIMATE AREA		ABSOLUTE
5.02 Acres Ha.		
REGISTRY MAP SHEET No.		
MSA/BLOCK XVII		

PART B—PROPRIETORSHIP SECTION

ENTRY NO.	DATE	NAME OF REGISTERED PROPRIETOR	ADDRESS AND DESCRIPTION OF REGISTERED PROPRIETOR	CONSIDERATION AND REMARKS	SIGNATURE OF REGISTRAR
2	15/2/2002	Seif Said, Laila Mohamed Seif and Seif Bin Salim (As trustees of Seif Bin Salim Trust)			
3	15/2/2002	TITLE DEED ISSUED			

EDWARD KIGURU LAND SURVEYORS

QAMAR PLAZA,
Turkana Street, Behind No Maneno
1st Floor, Suite No. 2
P. O. Box 87482 - 80100
Cellphone - +254 722 672 570
Mombasa, Kenya
Email: edwardkiguru@yahoo.com

- Cadastral surveys
- Topographical surveys
- Engineering surveys
- Mapping surveys
- Land consultants

SURVEY FIELD H/Q
P.O. Box 30046
RECEIVED
30 JUN 2016
INWARD REG No. 921
RUARAKA - NAIROBI

Our Ref: C/CAD/4511

June 24 , 2016

Your Ref:

279/15/7/2016

THE DIRECTOR OF SURVEYS
NAIROBI.

Dear Sir,

PARCEL No. 1722-1803 , formerly (Subdivision of MI/XVII/232),
(F/R No. 421/76-78 & COMPS No. 68761)

Please refer to your letter *Ref. No. CT 12/Vol.10/215 dated 21/06/2016,* approving my above-indicated Survey.

In this connection , please amend , sign and seal the RIM, and release the same to me by post.

Yours Faithfully,

E.M.J. KIGURU
LICENSED SURVEYOR.
Encls. ( )

EDWARD M. J. KIGURU
LICENSED SURVEYOR

SURVEY ...
RECEIVED KSH 107,200/- CHQ
No. 089085
No. C9465736 30/6/16

REPUBLIC OF KENYA

THE REGISTERED LAND ACT
(Chapter 300)

Title Deed

Title Number MOMBASA/BLOCK XVII/219

Approximate Area 1.577 Acres

Registry Map Sheet No. MSA/BLOCK XVII

This is to certify that SAID BIN SEIF,

LAILA MOHAMED SEIF and SEIF SAID (As Trustees of Seif Bin Salim Trust) P.O. Box 81160 MOMBASA = = = = = = =

is (are) now registered as the absolute proprietor(s) of the land comprised in the above-mentioned title, subject to the entries in the register relating to the land and to such of the overriding interests set out in section 30 of the Registered Land Act as may for the time being subsist and affect the land.

GIVEN under my hand and the seal of the MOMBASA District Land Registry this 6th day of May, 2002

EDWARD M. J. KIGURU 28/11/13
LICENSED SURVEYOR

(To be completed only when the applicant has paid the fee of Sh. 125)

At the date stated on the front hereof, the following entries appeared in the register relating to the land:

EDITION: 1
OPENED:

PART A—PROPERTY SECTION

REGISTRATION SECTION	EASEMENTS, ETC.	NATURE OF TITLE
MSA/BLOCK XVII		
PARCEL NUMBER		
219		ABSOLUTE
APPROXIMATE AREA		
1.577 Acres Ha.		
REGISTRY MAP SHEET No.		
MSA/BLOCK XVII		

PART B—PROPRIETORSHIP SECTION

ENTRY NO.	DATE	NAME OF REGISTERED PROPRIETOR	ADDRESS AND DESCRIPTION OF REGISTERED PROPRIETOR	CONSIDERATION AND REMARKS	SIGNATURE OF REGISTRAR
3	6/5/2002	Said Bin Seif, Laila Mohamed Seif and Seif Said (As Trustees of Seif Bin Salim Trust) P.O. Box 81160 Mombasa			
4	6/5/2002	LAND TITLE DEED ISSUED			
2	19/8/1995	Caution in favour of Amer Hassan Mohamed claiming "Tenancy Interest" see attached agreement			

EKLS EDWARD KIGURU LAND SURVEYORS

SURVEY CENTRE,
City Grocers Bldg, 1st Floor
Haile Selassie Road (Opp. Blue Room)
P. O. Box 87482-80100
Tel: 041 - 2230724
Mombasa, Kenya
Email: edwardkiguru@yahoo.com

Cadastral surveys
Topographical surveys
Engineering surveys
Mapping surveys
Land consultants

Our Ref: C/CAD/4105

Your Ref: 313/16/12/2013

16 DEC 2013
INWARD REG. NO. 704
RUARAKA - NAIROBI

November 28, 2013

THE DIRECTOR OF SURVEYS
NAIROBI.

Dear Sir,

SUBDIVISIONAL SURVEY : MI/XVII/219 , M'SA MUNICIPALITY.

I enclose herewith the following documents in connection with above indicated Survey, for favour of your processing:-

1). Two (2) leaves - Field Note cover.
2). 19 leaves - Field Notes. .
3). Two (2) pages - Surveyors Report and Index to Comps.
4). 56 pages - Computations.
5). Two (2) Survey plans : *Form No. 2*, Form No.4, plus linen copies.
6). Certified True Copies (CTC's) of the Approval documents:
- *including Form PPA2 , DLO'S letter , & the Approved Scheme Plan.*
7). Certified true copy of the title document.

Yours faithfully,

E.M.J. KIGURU.
LICENSED SURVEYOR.
EDWARD M. J. KIGURU
LICENSED SURVEYOR

Encl ( )

PS : Please acknowledge receipt of the above documents by signing and returning enclosed copy of this letter.

later released ~~Title~~ Title.

REPUBLIC OF KENYA

THE LAND REGISTRATION ACT

(*No.* 3 *of* 2012, *section* 108)

THE REGISTERED LAND ACT

(*Chapter* 300) (REPEALED)

Title Deed

Title Number MOMBASA/BLOCK XLV/54

Approximate Area 2.571AC.

Registry Map Sheet No. MOMBASA/BLOCK XLV

This is to certify that SAID BIN SEIF PROPERTIES (2016) LIMITED and SHARIFA AHMED BUSAIDY

is (are) now registered as the absolute proprietor(s) of the land comprised in the above-mentioned title; subject to the entries in the register relating to the land and to such of the overriding interests set out in section 28 of the Land Registration Act (No. 3 of 2012) as may for the time being subsist and affect the land.

GIVEN under my hand and the seal of the MOMBASA District Land Registry this 23RD day of NOVEMBER 20 16

Land Registrar

111

23/11/16

MOMBASA/BLOCK XLV

54

2.571 AC.

MOMBASA/BLOCK XLV

PART II—PROPRIETORSHIP SECTION

ENTRY No.	DATE	NATURE OF PROPRIETORSHIP	NAME AND DESCRIPTION OF PROPRIETOR	CONSIDERATION AND RESTRICTIONS	SIGNATURE OF REGISTRAR
6	23/11/16	SAID BIN SEIF PROPERTIES (2016) LIMITED 1/2 SHARE and SHARIFA AHMED BUSAIDY 1/2 SHARE of P.O BOX 81479-80100 MOMBASA			
7	23/11/16	TITLE DEED - ISSUED			

ETHICS AND ANTI-CORRUPTION COMMISSION
RECEIVED
15 MAY 2024
LOWER COAST REGIONAL OFFICE, MOMBASA

13th May, 2024

HOUSE OWNERS

ATT. MR. NDIEMA
ETHIC'S & ANTI-CORRUPTION COMMISSION (EACC)
MOMBASA OFFICE.

Dear Sir,

RE: LAND INJUSTICE AND FRAUD ON PLOT 219 AND 232 XVII MSA. PLOT 1068 AND 54/XL MSA.

We are residents of Mombasa, we wish to register our complaint to your office for Advisory and Investigation on a possible multi-administrational land fraud done through Mombasa land registrar.

Please see attached booklet and supporting documentation for your reference.

Issues to be put to question;

- Historical land injustice to the community.
- Authority to Register New Title deeds.
- Subdivision of sub-plots without SURRENDERING the Original Title deed and the will.
- Non traceable will at the Registry
- Salim bin Self Properties Limited Registration and Ownership
- Trust deed Documentation.
- Trust Certificate Registration and Directors Profiles
- Sub-divided plots of plot 232/XVII, 219/XVII, plot 1068 and 54/XV Title deed Registration.

It's our humble Request to Ask for your Assistance in this Investigation a Advisory.

Yours faithfully,
Hon. Rajab Sumba

Mr. Farah Abdulahi Haji

Mr. Najib Shamson

REPUBLIC OF KENYA

MINISTRY OF LANDS, PUBLIC WORKS, HOUSING AND URBAN DEVELOPMENT
STATE DEPARTMENT FOR LANDS AND PHYSICAL PLANNING

DEPARTMENT OF LANDS,
P.O. BOX 80053-80100
MOMBASA.

Telephone: N/A

When replying please quote:

Ref: MSA/LND. GEN. 4/1/2024

30th May, 2024

George Egunza & Associates Advocates,
Lotus Plaza, 1st Floor, Cathedral Lane ,
Off Nkrumah Road,
P.O. Box 86883 – 80100,
MOMBASA

ATT: GEORGE EGUNZA

RE: WILL FOR PLOTS NO. 232/XVII & 219/XVII - MOMBASA

Your letter ref. No. GE/HISTORICAL INJUSTICE/1/2022 dated 24th May, 2024 refers.

Kindly note that the Registrar is not in a position to cancel any title already issued as it is the mandate of the Court.

G. O. NYANGWESO
LAND REGISTRAR
MOMBASA

INDENTURE OF TRUST ~~Will~~

Rmin-lu
14/6/37

THIS INDENTURE made the Tenth day of [illegible] thousand nine hundred and thirty seven BETWEEN Sir Ali bin Salim K.B.E., C.M.G., as Trustee under and by virtue of an Indenture of Trust dated the 20th day of December 1934 registered in the Mombasa Registry in Volume [illegible] on Folio 194/4 (hereinafter called the First Part which expression shall be deemed to include his executors administrators successors and assigns) of the one part AND the said Sir Ali bin Salim as Trustee under and by virtue of an Indenture of Trust dated the 26th day of Septemb 1935 registered in the Mombasa Registry in Volume [illegible] on Folio 189/4, 190/4 and 191/4 (hereinafter called the Second Party which expression shall be deemed to include his heirs executors administrators successors and assigns) of the other part WHEREAS all the trusts covered by the said Indenture of trust were created by the said Sir Ali bin Salim in his capacity as executor of the Will of late brother Seif bin Salim to carry out and give effect to the provisions of the said Will and in respect of properties belonging to the estate of the said Seif bin Salim AND WHEREAS the provisions as to the appointment of Trustees in both cases are the same AND WHEREAS in order to carry out the trusts comprised in the Indenture of the 26th day of September 1935 there is not and is not likely that there will be for a very considerable time to come sufficient income coming to the hands of the Second Party AND WHEREAS owing to the increasing number of poor Mohamedans it is imperative that arrangements should be made for the acquisition of plots of [illegible]

157 8/
26/6/37
26/6/37
~~[illegible]~~
~~8645~~
D/3.7.37
at 8.40 a.m.
L 8663 G

THIS INDENTURE made the 16th day of [illegible] thousand nine hundred and thirty seven BETWEEN Sir Ali bin Salim K.B.E.,C.M.G., as Trustee under and by virtue of an Indenture of Trust dated the 20th day of December 1934 registered in the Mombasa Registry in volume [illegible] on Folio 194/4 (hereinafter called the First Party which expression shall be deemed to include his executors administrators successors and assigns) of the one part AND the said Sir Ali bin Salim as Trustee under and by virtue of an Indenture of Trust dated the 26th day of September 1935 registered in the Mombasa Registry in Volume [illegible] on Folio 189/4, 190/4 and 191/4 (hereinafter called the Second Party which expression shall be deemed to include his heirs executors administrators successors and assigns) of the other part WHEREAS all the trusts covered by the said Indenture of trust were created by the said Sir Ali bin Salim in his capacity as executor of the Will of his late brother Seif bin Salim to carry out and give effect to the provisions of the said Will and in respect of properties belonging to the estate of the said Seif bin Salim AND WHEREAS the provisions as to the appointment of Trustees in both cases are the same AND WHEREAS in order to carry out the trusts comprised in the Indenture of the 26th day of September 1935 there is not and is not likely that there will be for a very considerable time to come sufficient income coming to the hands of the Second Party AND WHEREAS owing to the increasing number of poor Mohamedans it is imperative that arrangements should be made for the acquisition of plots

do in order that all the trusts could be declared same time and provision might be made from time to time to give effect to the trusts comprised in the said Indenture of the 26th day of September 1935 NOW THIS INDENTURE WITNESSETH that in pursuance of the premises the First Party undertakes to provide, purchase and acquire for the use of poor Mohamedans more land in the vicinity of Mombasa as and whenever required AND the Second Party as Trustee aforesaid DOTH HEREBY grant and convey unto the First Party his executors administrators nominees successors and assigns the hereditaments and premises comprised in the Indenture of the 26th day of September 1935 TO HOLD the same as part and parcel of the trusts comprised in the said Indenture of the 20th day of December 1934.

IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals the day and year first above written.

SIGNED SEALED AND DELIVERED by the said First Party in the presence of:-

and of:-

SIGNED SEALED AND DELIVERED by the said Second Party in the presence of:-

and of:-

For the purpose of stamp duty value assessed according to Municipal Site Valuation:-

Plot No.31/XVI. Plot No.219/XVII Plot No.252/XVII
Shs 17808/- Shs 39420/- Shs 50480/-

THE

SCHEDULE OF PROPERTIES

1. All that piece or parcel of land situated in the District of Mombasa in the Mombasa Municipality known as Plot No.31/XVI containing 0.5936 of an acre or thereabouts more particularly delineated and described on Deed Plan No.27452 attached to Certificate of Title dated 15th day of December 1930 and registered in the Mombasa Registry on Fol. 189/1 of Vol. L.T.IX.

2. All that piece or parcel of land situated in the District of Mombasa Municipality known as Plot No. 219/XVII containing 1.577 acres or thereabouts more particularly demarcated and delineated on Plan No. 27138 attached to Certificate of Title dated the 15th day of December 1930, registered in the Mombasa Registry on Folio 190/1 of Volume L.T.IX.

3. ALL THAT piece or parcel of land situated in the District of Mombasa Municipality (Island) known as Plot No.232 of Section XVII containing 3.02 acres or thereabouts more particularly demarcated and delineated on Plan No.27147 attached to Certificate of Title dated the 15th day of December 1930 issued to Sir Ali bin Salim K.B.E., C.M.G., Executor of the Will of the Seif bin Salim and registered in the Mombasa Registry on Folio 191/1 of Volume L.T.IX.

Dated the 16th day of June 1937

SIR ALI BIN SALIM K.B.E., C.M.G., AS TRUSTEE UNDER AN INDENTURE OF TRUST DATED THE 20TH DAY OF SEPTEMBER 1934

AND

SIR ALI BIN SALIM K.B.E., C.M.G., AS TRUSTEE UNDER AN INDENTURE OF TRUST DATED THE 26TH DAY OF SEPTEMBER 1935.

CONVEYANCE

Plots Nos.31/XVI,219 &232/XVII

Mombasa.

BY:-

R. M. DOSHI

ADVOCATE, MOMBASA.

Stamp Duty ... Sh. 10/-

Registration Fees Sh. 26/-

Sh. 36/-

COUNTY AND PROTECTORATE OF KENYA

MOMBASA REGISTRY.

Registered at 8.40 a.m. 3 7 1937

Day Book No.	Volume	Folio	
687	L.T. IX	189/5	1034
~	L.T. IX	190/5	1035
~	L.T. IX	191/5	1036

[signature]

Registrar.

Will

50322

Rec^d

179

Government House
Mahoni
British East Africa

[illegible] Protectorate
Provincial No. 38.

16th September 1913.

With reference to my Confidential despatch No 117 of 29th October 1912 on the subject of the conditions of service of the Arab Staff at the Coast, I have the honour to submit for your favourable consideration the case of Seif bin Salim, Wali of Lamu.

2. This official has for the past three years been seconded for work connected with the Arbitration Board and I am satisfied that he has performed his duties with diligence and that his influence and tact have facilitated settlement by arbitration in the Coast area.

3. It appears that in response to representation made to him in 1912 my predecessor either promised definitely or held out hopes that an improvement in the [illegible] position of [illegible] his Salim and of his brother Sheikh Ali bin Salim, Assistant Wali of Mombasa, would be effected.

4. This was done in the case of the latter, who now draws pay at the rate of £400 rising by [illegible] to £[illegible], but not in [illegible] Seif bin Salim whose salary is only £280 a year.

5/.

[illegible]

ANDREW BONAR LAW, P.C.M.P.,

SECRETARY OF STATE FOR THE COLONIES,

THIS INDENTURE made the [illegible] day of [illegible] thousand nine hundred and thirty seven BETWEEN Sir Ali bin Salim K.B.E., C.M.G., as Trustee under and by virtue of an Indenture of Trust dated the 20th day of December 1934 registered in the Mombasa Registry in Volume [illegible] on Folio 194/4 (hereinafter called the First Party which expression shall be deemed to include his executors administrators successors and assigns) of the one part AND the said Sir Ali bin Salim as Trustee under and by virtue of an Indenture of Trust dated the 26th day of September 1935 registered in the Mombasa Registry in Volume [illegible] on Folio 189/4, 190/4 and 191/4 (hereinafter called the Second Party which expression shall be deemed to include his heirs executors administrators successors and assigns) of the other part WHEREAS all the trusts covered by the said Indenture of trust were created by the said Sir Ali bin Salim in his capacity as executor of the Will of late brother Seif bin Salim to carry out and give effect to the provisions of the said Will and in respect of properties belonging to the estate of the said Seif bin Salim AND WHEREAS the provisions as to the appointment of Trustees in both cases are the same AND WHEREAS in order to carry out the trusts comprised in the Indenture of the 26th day of September 1935 there is not and is not likely that there will be for a very considerable time to come sufficient income coming to the hands of the Second Party AND WHEREAS owing to the increasing number of poor Mohamedans it is imperative that arrangements should be made for the acquisition of [illegible]

do in order that all the trusts [illegible] same time and provision might be [illegible] from time to time to give effect to the trusts comprised in the said Indenture of the 26th day of September 1935 NOW THIS INDENTURE WITNESSETH that in pursuance of the premises the First Party undertakes to provide, purchase and acquire for the use of poor Mohamedans more land in the vicinity of Mombasa as and whenever required AND the Second Party as Trustee aforesaid DOTH HEREBY grant and convey unto the First Party his executors administrators nominees successors and assigns the hereditaments and premises comprised in the Indenture of the 26th day of September 1935 TO HOLD the same as part and parcel of the trusts comprised in the said Indenture of the 20th day of December 1934.

IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals the day and year first above written.

SIGNED SEALED AND DELIVERED by the said First Party in the presence of:-

[signature]

and of:-

[signature]

SIGNED SEALED AND DELIVERED by the said Second Party in the presence of:-

[signature]

and of:-

[signature]

For the purpose of stamp duty value assessed according to Municipal Site Valuation:-

Plot No.31/XVI Plot No.219/XVII Plot No.262/XVII

Sh 17808/- Sh 39120/- Sh 50420/-

TERED AS AFFECTING THIS TITLE.

COLONY & PROTECTORATE OF KENYA.

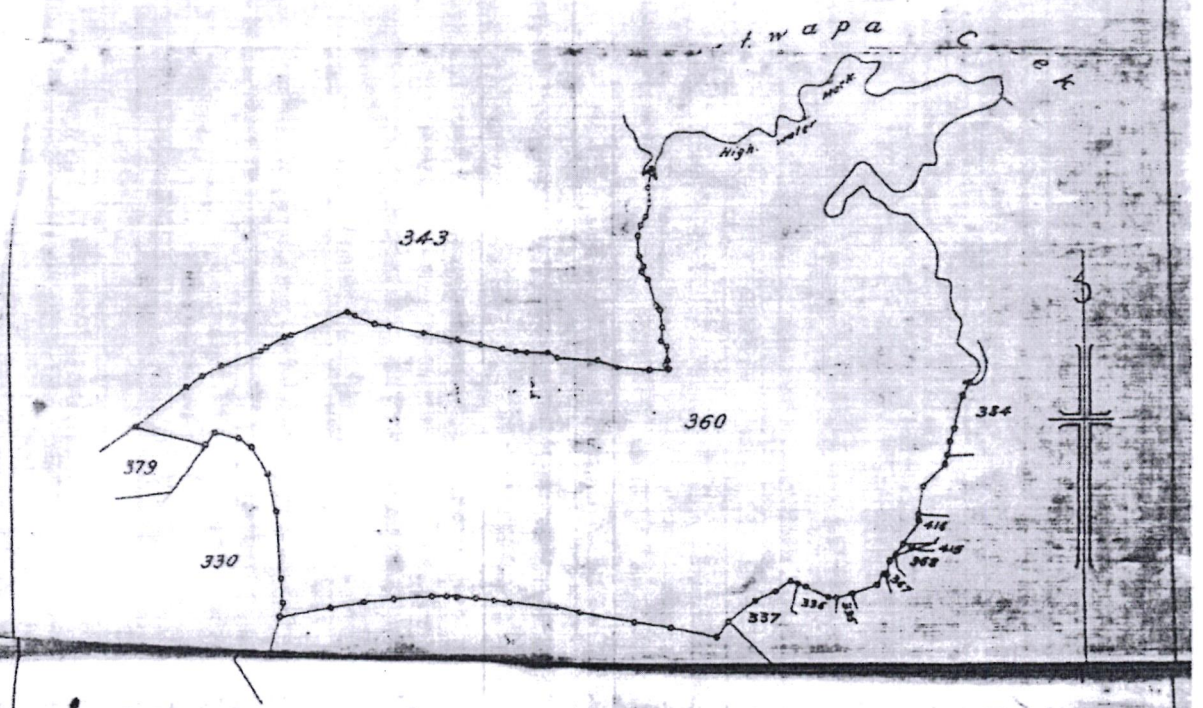
Herbert Payne & 4 others.
Land Office Reference No.

PROVINCE OF SEYIDIE
DISTRICT OF MOMBASA
Locality To N.E. of Port Tudor
Scale: 1 in 20,000 or 1666·66 Feet to 1 Inch.

Re-Subdivision No.
of Subdivision No. 360
of Section No. II of Mainland North
of Portion No.
of Meridional District South A. 37 / V. IV. C.

Area - 317·0 Acres (Approx)

Bearings ° ′ ″	Distances Feet



Land Titles Registry.
Nairobi.

Registrar of Titles.

Director of Land Surveys

Nairobi July 31st 1922

Traced by Mistry
Compared by

Please quote this PLAN No. 15063

Events of the Historical Injustice

On 12th October 1920 – The British Colony and Protectorate of Kenya commissioned S.S. Willes surveyor, who surveyed the three parcels which were allocated to the following settlers:

1. **L.R 343 – Melrose MacJohn was allocated 2,200 acres.**
   Survey Map sheet 5 No. 13270
   Section No II Mainland North
   Portion No 343 & 500
   Meridional District – South A.37
   Administrative District – Mombasa
   PROVINCE OF SEYIDIE
   Locality- Mtwapa Creek & Mwakirunge
2. **L.R 360 – Herbert Payne & 4 Others were allocated 917 acres**
   Section No. II – Mainland North
   Portion No.360
   Meridional District – South A.37
   PROVINCE OF SEYIDIE

Locality – Mtwapa Creek

3. **L.R 546 - East African Larvik Company LTD was allocated 1108 acres**
   Section No. II Mainland North Mombasa
   Portion No 546
   Meridional District – South A.37
   Administrative District – Mombasa
   PROVINCE OF SEYIDIE
   Locality North of Port Tudor
4. Land parcel registration No. CR 1920/6 was transferred to **Marble Everlyne Van Waltrop** on a 99-year lease term on 25th July 1951 and apparently to date the lease has not expired.
5. In June 1987 some people unknown to the residents of the three land parcels started putting beacons on Kashani land parcel with the help of HIME and ZIMERLINE surveyors whom the residents learnt they were acting on instruction of **Thathini Development Company Limited.**
6. On 21st May 2008 the Ministry of Lands, through Daily Nation of Wednesday May 21, 2008, issued public notice (Government Land Act CAP 280 Laws of Kenya) notifying the public that ALL land leases granted on or before May 1909 had expired and vested back to the Government. In this regard the same Public Notice could not effectively grant Thathini Development Company Limited legal ownership of the three land parcels on freehold status vide instrument of transfer of July 19, 1979, against the three land parcels titles.

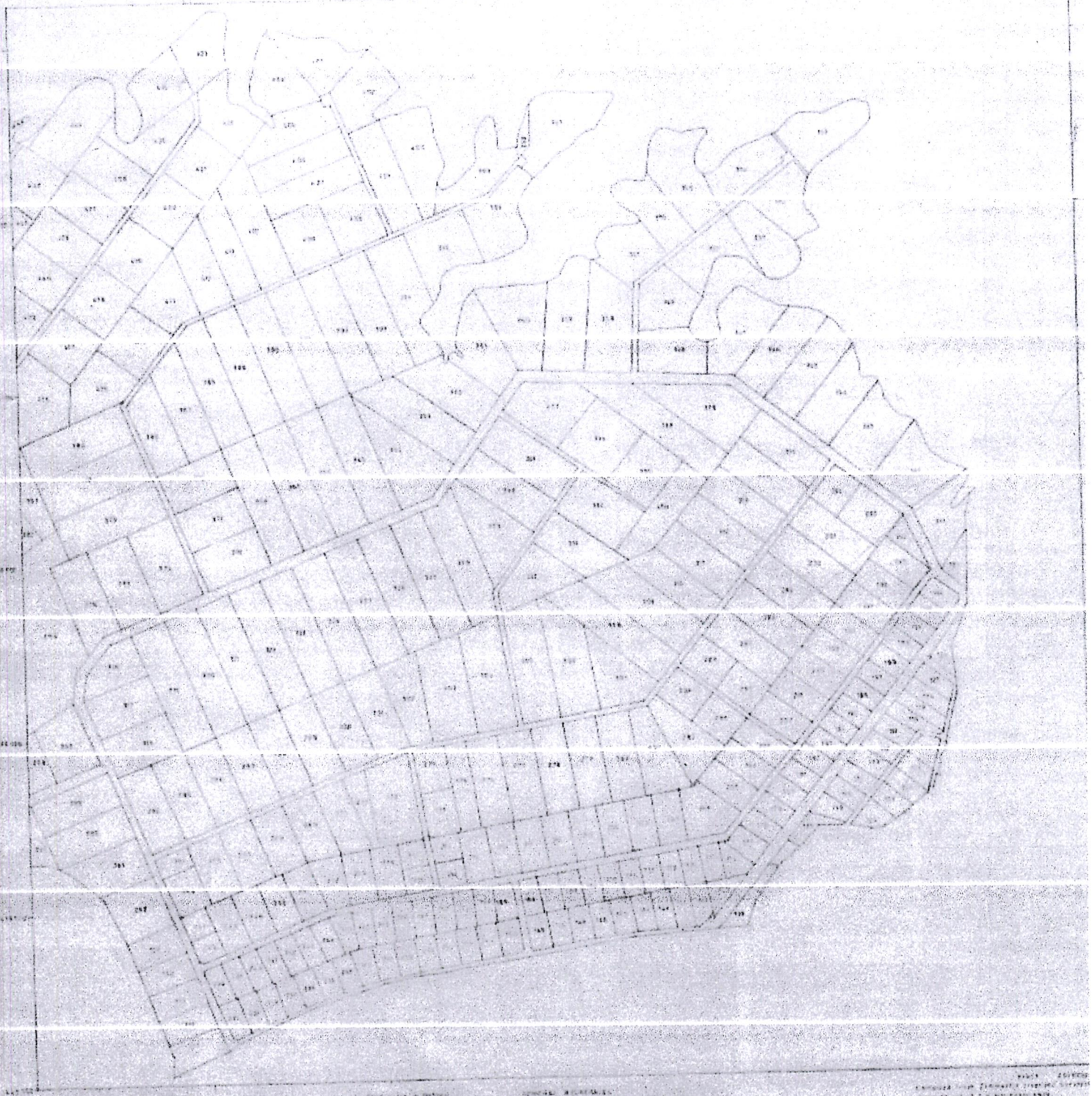
However, none of above (Nos 1-5) to whom land was allocated during the colonial and post-colonial era either settled nor undertook any development on the three land parcels.

Current Deed

MOMBASA MAINLAND NORTH BLOCK 4 (THATHI-INI)

(136/3/24)

MOMBASA DISTRICT



SCALE 1:5000

MOMBASA MAINLAND NORTH BLOCK 4 (THATU UNIT)

MOMBASA DISTRICT



SCALE 1:5000

Sale agreement

AGREEMENT FOR SALE OF LAND AT NGUU TATU, MN/11/829 SITUATED NEXT TO SAFARICOM TRANSMISSION SIGNALS MAST.

BACKGROUND

In year 2013, **MWINGA NZOKA AND MWAKA CHULA SAHA** sold a piece of land situated on Nguu Tatu hill next to transmission signals mast to **SOLID ROCK MINISTRY.**

SOLID ROCK MINISTRY purposed to build an Interdenominational Prayer Centre on that plot.

It latter turned out that part of that plot belonged to Kenga Muhambi

MWINGA NZOKA and MWAKA CHULA SAHA offered a one acre plot to compensate Kenga and also undertook to ensure that SOLID ROCK MINISTRY would buy the plot since it can only be accessed through their plot.

When **SOLID ROCK MINISTRY** started building, Kenga sent his young men to confront the contractor insisting that Solid Rock Ministry had to first buy that plot before any work can commence as promised by Mwaka Chula and Mwinga Nzoka. agreed to compensate Kenga with a one acre plot.

DUE TO THE FOREGOING, NOW

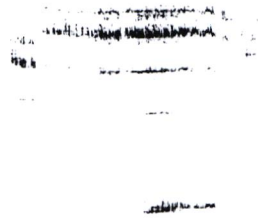
SOLID ROCK MINISTRY agrees to buy and KENGA MUHAMBI agrees to sell the plot given by the above named person at a price of **Ksh. Two Hundred Thousand only (KSh. 200,000.00)** which **KENGA MUHAMBI** acknowledges receipt of in full settlement of the deal.

Signed by seller..... ID 5336294

(KENGA MUHAMBI)

1. Witnessed by..... ID 4979946

(MAGANZI NDORO)



2. Witnessed by..... ID27735763

(AMOS KAZUNGU NGOA)

ON BEHALF OF SOLID ROCK MINISTRY

Signed ..... ID 3338989

(SAMUEL K. GITUNDU)

1. Witnessed by..... ID 8675978

(STEVE MUTIE JOHN)

2. Witnessed by..... ID 14578407

(MARY MULINGE)

3. Witnessed by ..... ID) 70499745

(DAVID MUSEMBI)

AT BAMBURI THIS 27TH DAY OF AUGUST 2019

- Copy to Safari Masha Mzee wa Mtaa

- Copy to Mwaka Chula Saha

Walter Pettrin (14/3 - same email NLC chair Doris Dean
April ~~March~~ - 2024).
Submission

(3)

Telephone: Mombasa 041 2311916

When replying please quote

COUNTY LAND ADJUDICATION &
SETTLEMENT OFFICE
P.O. BOX 81520
MOMBASA

Ref. No.PLAS/CON/SS/731/92

12th January, 2024

Commission on Administrative Justice
Office of the Ombudsman
P.O. Box 80979
MOMBASA

COMMISSION ON ADMINISTRATIVE JUSTICE
COAST REGIONAL OFFICE
RECEIVED
DATE:
P.O. Box 80979 - 80102, MOMBASA

RE: REQUEST FOR INFORMATION BY RESIDENTS OF SHIKA ADABU SETTLEMENT SCHEME

Your letter ref. CAJ/MSA/ATI/M.LAN/022/13/23-SAK dated 14th December, 2023 refers.

Enclosed herewith find the following:

a) Copy of list of beneficiaries.
b) Coy of allocation and complaints minutes.
c) List of committee members.

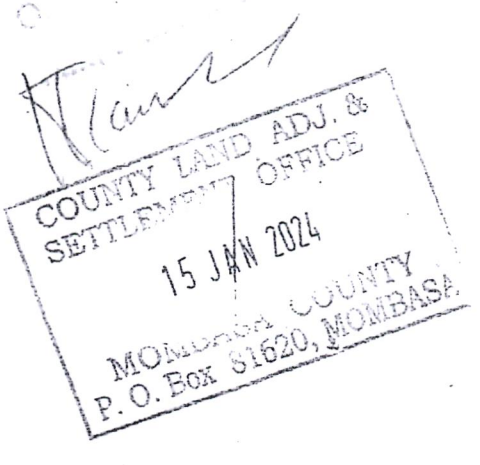
Take note that the PDP is not in the custody of this office.

BENJO D.K
COUNTY LAND ADJUDICATION &
SETTLEMENT OFFICER – MOMBASA

MINUTES OF COMPLAINTS ON SHIKA ADABU SETTLEMENT SCHEME HELD AT SHIKA ADABU DEPUTY COUNTY COMMISSIONERS OFFICE HELD ON 3RD JULY 2020

Attendance

1.	Mishi Mboko	Member of Parliament Likoni
2.	Francis Kazungu	Deputy County Commissioner Likoni
3.	Sammy Mchombo	County Land Adj. & SELLI. Officer Mombasa
4.	Teddy Mulusa	Rep. Regional Surveyor
5.	Athuman	Chief Shika adabu
6.	Mashela	Committee member
7.	Idd Ibrahim Nyawa	Committee member
8.	Shakombo Salim Kutunga	Committee member
9.	Fatuma Yusuf Juma Gugu	Committee member
10.	Mohamed Ali Chamzuzu	Chairman
11.	Mwalimu Ali Magadi	Committee member
12.	Mohamed Swalehe Mwenge	Committee member
13.	Ali Mohamed Mwadzuchi	Committee member
14.	Mwanamisi Said Nimandano	Committee member
15.	Topister Willychister	Committee member
16.	Mwananamkasi Seif Ramadhan	Committee member
17.	Mwanangano Suleiman	Committee member
18.	Mwanamisi Zakaria	Committee member
19.	Hassan Mbaruk Mwaramuno	Committee member
20.	Asha Suleiman Nchanyuma	Committee member
21.	Mohamed Said Bwanaimani	Committee member
22.	Swaleh Omar Mwachaki	Committee member
23.	Hamad Mohamed Haji	Committee member
24.	Abdalla Juma Mwakaz	Committee member



PRAYERS

The meeting started by a word of prayer from Hamad Mohamed Haji at 11. 35 am

CHAIRMAN OPENING REMARKS

The chairman welcome members present and apologized to members for starting the meeting late as scheduled. He explained that he had called the meeting after consultation with the area MP after receiving numerous complaints from the residents .The residents were complaining that they were left out in the identification of beneficiaries and some were absent during the exercise he welcome the Member of Parliament to the explain.

The area MP told members present that she also had received such complaints and emphasized the importance of this meeting in order to look into solutions to these grievances she pointed out that she was elected to represent his constituents and he would not allow her constituents to miss out in the land resource that would improve their living standards.

The Chief Shika adadu Location also confirmed that numerous complaints had been raised and suggested that the affected plots be visited and a report be presented to the members of this meeting for escalation to authorities.

The Committee secretary Iddi agreed that it was possible to visit the plots but a surveyor is required in the identification of the plots.

The County Settlement officer pointed out that the list of Shika adabu beneficiaries had already been forwarded to Nairobi but since the complaints are many visiting the plots to verify beneficiaries can be done and a report with recommendations duly endorsed by the committee members, the AREA MP and the deputy county commissioner since titles deeds for the scheme are yet to be prepared

The regional survey office assured members present that a surveyor will be available if it is agreed that verification of the beneficiaries will be carried out.

The county Settlement officers also assured members that the Surveyor, committee members and the settlement officer will start the work immediately and present a report to the members of these meeting once the report is complete.

Members unanimously agreed that the plots be identified and the beneficiaries verified.

The MP asked the people charged with the responsibility of verification of the beneficiaries to work diligently and assured them of her total support.

The Chairman thanked members and insisted that the verification of beneficiaries be carried out fairly and no person should be left out. he thanked members for attending the meeting

There being no other business the meeting ended by a word of prayer from Hamad Mohamed Haji at 1.20 Pm

SIGNED

SIGNATURE

DEPUTY COUNTY COMMISSIONER
LIKONI SUB- COUNTY
P. O. Box 96042,
LIKONI

FRANCIS KAZUNGU

DEPUTY COUNTY COMMISSIONER LIKONI 27/11/2020

SIGNATURE

HON. MISHI MBOKO

MEMBER OF PARLIAMENT LIKONI

27/11/2022

SIGNATURE

SAMMY AROME MCHOMBO

COUNTY LAND ADJUDICATION AND SETTLEMENT OFFICER

DISTRICT LAND ADJ
SETT. OFFICER
MOMBASA DISTRICT
P. O. BOX 81620, MOMBASA

27/11/2022

CERTIFIED TRUE COPY
OF THE ORIGINAL

COUNTY LAND ADJ. &
SETTLEMENT OFFICE
15 JAN 2024
MOMBASA COUNTY
P. O. Box 81620, MOMBASA

LIST OF COMMITTEE MEMBERS FROM SHIKA ADABU SETTLEMENT SCHEME

NAME OF MEMBER	MBER
1. MWALIMU ALI MAGADI	
2. SHAKOMBO SALIM KUTUNGA	
3. IDI IBRAHIM NYAWA	
4. HASSAN MBARUKU MWARAMUNO	
5. FATUMA YUSUF JUMA GUGU	
6. MOHAMED SWALEHE MWENGE	
7. MOHAMED SAID MBWANAIMANI	
8. MWANAHAMISI SAID NIMANDANO	
9. TOPPISTER WILLYCHISTER	
10. MOHAMED HAMISI KONGONINGA	
11. SWALEHE OMAR MWACHAKI	
12. HAMADI MOHAMED HAJI	
13. MWANAMKASI SEIF RAMADHAN	
14. ALI MOHAMED MWAZUSHI	
15. MWANANGANO SULEIMANI	
16. MWANAHAMISI MOHAMED ZACHARIA	
17. ASHA SUMEIMAN NCHANYUMA	

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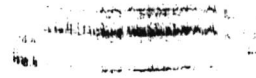
COUNTY LAND ADJ. & SETTLEMENT OFFICE

15 JAN 2024

P. O. BOX



SHIKA ADABU -RRI ACCOUNTABILITY LIST - JANUARY, 2024 VERIFIED

S/NO.	NAME OF ALLOTTEE	PARCEL NO.	R.I.M NO.	ACREAGE Ha.	SHT NO.
	NOOR MUSTAFA SULEIMAN		1	0.1408	3
	KASSIM NOOR MUSTAFA		2	0.1375	3
	HUSSEIN NOOR MUSTAFA & FATUMA AHMED HASSAN		3	0.1052	3
	ABDUL MAJID SAID		4	0.0924	3
	MOHAMED NOOR MUSTAFA		5	0.0924	3
	MOHAMED NOOR MUSTAFA & MARIAM NOOR		6	0.1049	3
	NOOR MUSTAFA SULEIMAN		7	0.1237	3
	NILAN MOHAMED ALLY		*8*	*0.1589*	*3*
	ABDUL MWAVUMO NOOR MUSTAGA & MARIAMU NURU MUSTAGA		9	0.1114	3
	ABDULSALAM ISHAQ ABDULLA		10	0.0924	3
1	DISPUTED GOVT MUTATION		11	0.1042	3
2	JIMMY		12	0.1040	3
3	ABDALLA RASHID BAKULI, MWANARUSI ABDALLA & FATUMA ABDALLA		13	0.0924	3
4	MEJUMAA ABDALLAH & ABDALLA RASHID BAKULI & ESHA ABDALLA		14	0.0920	3
5	JIMMY		15	0.1033	3
6	EMMANUEL MWANIKI MURAGE		16	0.1029	3
7	NEREA OTIENO		17	0.0996	3

CERTIFIED TRUE COPY
OF THE ORIGINAL

COUNTY LAND ADJ. & SETTLEMENT OFFICE
15 JAN 2024
MOMBASA COUNTY
P. O. Box 90220, MOMBASA

8	MWASITI JUMA	18	0.1000	3
9	MWALIMU ALI MAGADI	19	0.1031	3
0	JUMA MOHAMED JAUSI & JUMA MKALA MDOE	20	0.1122	3
1	BENSON LETESH ISAAC & ELIZABETH NZULA MULATYA	21	0.900	3
	BERNARD SUYINKA ISAAC & LEMUEL JUMA MAKOKHA	22	0.1637	2
3	FATUMA BAKAR GOGO	23	0.1022	2
4	MARIAM JUMAA MWAKONGOLE	24	0.1000	2
5	ALFAN ABDALLA GOSI	25	0.1000	2
6	KASIKA DANIEL PARSAIDI	26	0.1019	2
7	CHERUIYOT K. RAJAB	27	0.1017	2
8	ABDALLA HAMISI MWAJAMBALA	28	0.1000	2
9	OMARI HAMISI MWAJAMBALE	29	0.1000	2
0	JUMA HAMISI MWAJAMBALE	30	0.1014	2
1	JUMA HAMISI MWAJAMBALE	31	0.1012	2
2	MWANASHA HAMISI MWAJAMBALE	32	0.1000	2
	LOYFORD KIBAARA EPHANTUS & NEREAH OTIENO	33	0.1000	2
4	MADGALENE WANJIKU KIMANI	34	0.1010	2
5	SENEIYA SUIYANKA	35	0.1018	2
6	LUCY NJOKI KUNTAYO	36	0.1042	2
7	MWACHEGA HAMISI	37	0.1022	2
8	SWALE MWACHEGA MOHAMED MWACHEGA	38	0.1022	2
9	MEJUMAA MWACHEGA BINTI MWACHEGA	39	0.1026	2
0	MWANAASHA MOHAMMED MWASHERA & FATUMA MOHAMED MWAMJUNA	40	0.1026	2
1	JAMES MBUGUA NDUNGI & TYSON WANJOHI NGUNJIRI	41	0.1026	2
2	MESALIMU MWACHEGA	42	0.1026	2
3	NEMA ALI JEZA	43	0.1026	2
4	FATUMA MWACHEGA	44	0.1026	2
	LEWIS MWAURA MWANGI	45	0.1026	2
	BAKARI KHALIFAN MWANGOZA	46	0.1026	2
7	MWANAJUMA MWABANGA	47	0.2053	2
8	SULEIMAN MWINYI GANYUMA	48	0.1026	2
9	KADIRA SALIM MOHAMED	49	0.1026	2
0	BAKARI ABDALLA MWANDONDO	50	0.1026	2
1	HALIMA HAMISI MWAKUZI	51	0.1026	2
2	MWANASTARA HASUBUKI SALIM MOHAMMED	52	0.0934	2
3	HAMISI MOHAMED MWAMKUNA	53	0.0993	2
4	HASIDI MOHAMED KONKONINGA & ABDALLA RASHID MASUD	54	0.0887	2
5	FATUMA YUSSUF JUMA GUGU — GUGU	55	0.1187	2
6	ELIZABETH KALEE MWANGANGI	56	0.0916	2

	A MWIJABU MWAREPHO			
	IMA MWINYI KOMBO			
	LI GAKWELI	57	0.0930	2
	NASSORO MOMBO MWAVUCHE	58	0.1139	2
	MISHI KONGO NINGA HASIDI	59	0.0915	2
	ALI ALFAN MTSUMI	60	0.0930	2
	HAMAD MOHAMED HAJI	61	0.0930	2
	AMI MKIDADI MWINYI & OMAR MOHAMED HAJI	62	0.1225	2
	BAKARI NASSORO MWAKOBA & HAMADI RASHID KIKUKU	63	0.0920	2
	ABDULAZIZ ABDULRASUL MOHAMED	64	0.0979	2
	ASHA MIAKA HAJ & ABDALLA HASSAN MWAKUMANYA	65	0.1228	2
	SALIM MWALIMU MWAHIMA	66	0.0927	2
	ABDALLA ABDALLA CHITEO	67	0.0985	2
	SAID ALI MWAZIMU	68	0.0985	2
	ALI JUMA SUMUNI	69	0.0990	2
	SAID ABDALLA KISIWA	70	0.0990	2
	ABDALLA KITEO ABDALLA	71	0.0990	2
	SAID ABDALLA KISIWA	72	0.0990	2
	ABDALLA KITEO SUMUNI	73	0.1091	2
	MESAID ABDALLA MWAJONDA, FATUMA ABDALLA SUMUNI	74	0.0770	2
	LITESO OMARI HUSSEIN & ALI ABDALLA MWAGADI	75	0.1128	2
	KIBIBI SULEIMAN JENJEWA	76	0.0985	2
	FATUMA DEBE ABDALLA	77	0.0992	2
	ATHMAN ABDALLA MWAJONDA	78	0.0990	2
	SALMA SALIM NDEMA MWANASHA ALI MWAJONDA	79	0.0990	2
	OMAR ABDALLA MWAJONDA MWANAMISI ALI MWAJONDA	80	0.0989	2
	ABDALLA ALI MWAMZIMU	81	0.0989	2
	SUDI MOHAMED MWATUNZA	82	0.0990	2
	RAMA ABDALLA MWAJONDA	83	0.0990	2
	NASSORO ABDALLA JUMA	84	0.0985	2
	SALIM MWALIMU MWAHIMA	85	0.0985	2
	SALIM MWALIMU MWAHIMA	86	0.0985	2
	JUMA ABDALLA MWAJONDA	87	0.0990	2
	NEEMA SULEIMAN JENJEWA	88	0.0989	2
	MIALI SULEIMAN SALIM & FATUMA SULEIMAN JENTEWA	89	0.0990	2
	SALIM BAKAR JENJEWA	90	0.0992	2
	MWINYIKOMBO SULEIMAN JENJEWA	91	0.0985	2
	MLAULA SULEIMAN JENJEWA	92	0.1076	2
	FATUMA SULEIMAN JENJEWA MWANAISHA ABDALLA MUHINA	93	0.1080	2
	DOUGLAS MURIITHI	94	0.1080	2
	FATUMA IBRAHIM	95	0.1080	2
		96	0.1076	2



7	BINTI NASSORO JUMA KIDA, JUMA JUMA KIDA	97	0.0985	2
8	HASSAN MWINYIKAI MWAKIPHADULO	98	0.0991	2
9	SWALEH HAMADI NAGO	99	0.0990	2
00	AMINA OMARI MWAMAIKA MOHAMMED MUSA MWASIKU	100	0.0985	2
01	MARIAM BAKARI MWAMTENDA	101	0.0986	2
02	ESBON RHUMBA MWAMNYAZI	102	0.0990	2
03	BINTI MOHAMMED JUMA MWAWARI	103	0.0990	2
04	MWANASHA JUMA NKANUNI	104	0.0990	2
05	MALKA MOHAMED AWADH	105	0.0990	2
06	SULEIMAN MWINYI KULONDA	106	0.0986	2
07	MARION TSAMBETSA MASINZA	107	0.0986	2
08	PIUS ODERO OKECH	108	0.0986	2
09	CATHERINE ATIENO	109	0.0990	2
10	FAKI SALIM SARAI	110	0.0990	2
11	BINTI RASHID MVUMBO	111	0.0990	2
12	ASHA ALFAN MTSUMI	112	0.0990	2
13	FATUMA ABDALLA MWINYIUSI	113	0.0990	2
14	MAUWA SULEIMAN KURIA	114	0.0990	2
15	MWANASHA KHAMISI MOHAMMED	115	0.0990	2
16	JOAN JOY NYASI MWAKIMA	116	0.0990	2
17	ESTHER WANJOHI KIJACHI	117	0.0986	2
18	ABDALLA IBRAHIM ADAM	118	0.0986	2
19	MASJID BAQARAH	119	0.0539	2
20	ISAAC WANJOHI	120	0.0568	2
21	LUCY KAREA KAMATI	121	0.0498	2
22	ALI ATHUMANI BONGO & MWINYI SAIDI MWASARAI & MUSA SULEIMAN GANYUMA & MWINYI MWAKINUTU MWINYIHAJI	122	0.1005	2
23	TUMAINI HASSAN DITI	123	0.0988	2
24	PAUL ROTICH	124	0.0523	2
25	STARA SWALEH ABDALLA & SAID SWALEH ABDALLA	125	0.0945	2
26	STARA SWALEH ABDALLA & SAID SWALEH ABDALLA	126	0.0891	2
27	SAID JUMA MASEMO	127	0.1974	2
28	VINANI JUMA MASEMO	128	0.1974	2
29	EMILY MSENGETI	129	0.0583	2
30	REUBEN NYAMBANI MOSE	130	0.0569	2
31	JOEL MURIITHI	131	0.0572	2
32	MARTIN GITHIJI	132	0.0570	2
33	NYAMAWI M. NYAMAWI	133	0.0604	2
34	MAURICE MUMBETSA TSUMA	134	0.0593	2
35	KONZA SAUM CHAKA	135	0.0571	2
36	MWINYIHAJI JENJEWA MWATUNZA	136	0.0701	2
37	HAMISI TOYA DITI	137	0.0613	2
38	ASSUMPTER ANYANGO OMWONO	138	0.0640	2

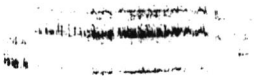
	M SALIM MWAMADZENGO		139	0.0925	2
	JUMA HAMISI		140	0.0876	2
	IC ONYANGO		141	0.0933	2
	MWAMSTARA SALIM MOHAMED		142	0.0933	2
	MWANAIRAN SALIM MOHAMED		143	0.0933	2
	MASKAT SALIM MOHAMED		144	0.0933	2
	KADIRA SALIM MOHAMED		145	0.0933	2
	SALAMA SALIM MOHAMED		146	0.0933	2
7	HAMUD SALIM MOHAMED		147	0.0933	2
8	ASIA SULEIMAN OMAR		148	0.0933	2
9	MWAMBELE MWACHEGA		149	0.0940	2
0	MWANAJUMA MWALIMU MWACHEGA MWEUPE MWALIMU		150	0.0933	2
1	MWEUPE MWACHEGA		151	0.0933	2
2	ABDALLA MOHAMED		152	0.1160	2
3	HAMISI MOHAMED MWAMKUNA		153	0.1059	2
4	SALIM MOHAMED MWACHENGA		154	0.0933	2
5	KASSIM MWACHEGA		155	0.0926	2
	MOHAMED SAID MWAMTSUMI & HAMADI SULEIMAN KAMISA		156	0.0926	2
7	SOCIAL HALL		157	0.0952	2
8	MASJID SHAMSIYA		158	0.4185	2
9	JUMA OMAR MAKANJU		159	0.0949	2
0	MOHAMMED JUMA MAKANJU BINTI JUMA MAKANJU ISMAEL JUMA MAKANJU		160	0.1002	2
1	MVWAKANI YOUTH POLYTECHNIC		161	0.8724	2
2	MVWAKANI SECONDARY SCHOOL		162	1.216	2
3	REHEMA HAMISI BANDU		163	0.0974	2
4	MWAKA ALI MWAPOPHO		164	0.0976	2
5	YAKUB MOHAMED SAMON		165	0.0967	2
6	MVWAKANI NURSERY & PRIMARY SCHOOL		166	1.433	2
7	MASUD MWAHIMA STADIUM		167	1.418	2
8	MWISHO RAMADHAN MWAPINDA		168	0.0896	2
9	HALIMA RAMADHAN MWAPINDA		169	0.090	2
	NASSORO MOHAMMED MWADZANANGWA		170	0.0921	2
1	FATUMA JUMA MWANAJUMBO		171	0.0896	2
2	NASSIR BAKARI LIBUWA		172	0.0824	2
3	KEAH RAMADHAN MWAPINDA		173	0.0755	2
4	MOHAMED RAMADAN MWAINDA		174	0.0900	2
5	PUNGU SOCIAL HALL		175	0.0935	2
6	JOSEPHINE MUNENGEI MWELU ANNA MWENDE DANIEL BONIFACE MUNENGEI		176	0.1665	2
7	SALIM SEIF RASHID		177	0.1616	2
8	MOHAMED MUSA MWASIKU		178	0.1574	2
9	JESUS CELEBRATION CENTRE		179	0.1079	2
0	MWANAMKASI SALIM		180	0.2520	2
1	DAVID MZEE DANIEL		181	0.1620	2
2	ESTHER MUMO JOSEPHINE		182	0.1858	2

33	AMIRI SAID MADZUNGA	183	0.1320	2
34	MVWAKANI DISPENSARY	184	0.6819	2
35	ALI AHMED ABUBAKAR	185	0.1082	2
36	MWINYI ABDALLA KOMBO	186	0.1017	2
37	ABDALLA MWINYI MWAVYONI MOHAMMED SALIM	187	0.0974	2
38	RASHID JAFFARY MWADZECHA	188	0.0799	2
39	SAIDA MWINYI MWACHIRIMIA	189	0.0783	2
40	MWANASHA SULEIMAN TABWARA	190	0.06692	2
41	MWANAMISI ALI GWANO	191	0.0553	2
42	ABRAHAM CHARITO MUKENYANG	192	0.0584	2
43	JUMA CHIDZANGI GWIDI	193	0.0582	2
44	HARRISON TISHO BAHARI	194	0.0577	2
45	BENSON MCHANA NJULE	195	0.0567	2
46	MWINYIHAJI JENJEWA MWATUNZA	196	0.4050	2
47	BAKARI HAMISI GONA	197	0.2038	2
48	ASINA JACOB NANGELA	198	0.1984	2
49	MASJID BAQARAH	199	0.1005	2
50	MAIMUNA SAID JENJEWA & JENJEWA SALIM SID	200	0.992	2
51	CATHERINE N. MUNYOKI	201	0.1127	2
52	NASSORO ALFAN MWAMBOGA	202	0.1074	2
53	MGENI NASSORO MWAMBOGA	203	0.1236	2
54	RIZIKI OMARI MAYOGO ZARINA ALI BAKARI	204	0.1036	2
55	AMIRI SAID MWADZUNGA KOMBO ABDALA MWACHOKA	205	0.1025	2
56	SALIM ABDALLAH KIPANGA	206	0.1016	2
57	AMINA ATHMAN MGUA	207	0.1016	2
58	YUSUF ATHUMAN MGUWA	208	0.1127	2
59	BIDALA MWINYI MWATENGEZA	209	0.1127	2
60	ATHUMANI MGUWA MWAKUUZA	210	0.1069	2
61	MWANASHA HALFAN MBWANA	211	0.1070	2
62	SALIM ATHUMANI MOYO	212	0.1398	2
63	JUMA MWARO BAYA	213	0.1215	2
64	ALI HAMADI MWAMTENDA	214	0.1244	2
65	MARIAM HAMADI MWAMTENDA & SAID HAMAD MWAMTENDE	215	0.1436	2
66	SULEIMAN HAMADI MWAMTENDA	216	0.0991	2
67	RAJAB HAMADI MWAMTENDE RASHID HASSAN MWABWENI	217	0.0991	2
68	ANN NAFULA WEKESA	218	0.0991	2
69	MWANAFUSA SWALEH BOI	219	0.0991	2
70	MESELEMANI EBRAHIM SHABAN	220	0.0991	2
71	FATUMA ATHUMANI NLAGO	221	0.0991	2
72	HAROUN ATHUMANI MGUA	222	0.0991	2
73	RIZIKI MWALIMU MWAPHUNGA	223	0.0991	2
74	NYAKI PIUS NDEGWA	224	0.0991	2
75	MWANAMWINYI SULEIMAN JENJEWA	225	0.0986	2
76	MWANAMWINYI SULEIMAN JENJEWA	226	0.0986	2

	50 EL KOMORA BALESA	Ref	227	0.0991	2
	ABDALLA YESI	Chief	228	0.0991	2
	ARY IKAMBA NYAKI	Ref	229	0.0991	2
	MEJUMAA SALIM JABU		230	0.0991	2
	BAKARIA ALI MBWANA		231	0.0991	2
32	DANIEL CHONDO	Ref	232	0.0991	2
33	SAUMU NIMUGAI MOHAMED		233	0.1297	2
34	MWINYI SALIM MWADZIMIRA		234	0.1297	2
35	JOMA MOHAMED CHAMZUZU, ZAINAB MOHAMED	Chief	235	0.1023	2
36	TAIMU MUGOSHI MWAKILEO		236	0.1023	2
37	MWARUWA TAIM MGOSHI BAKARI TAIM MGOSHI		237	0.1023	2
38	BAHATI SHARON NASIMBA		238	0.1023	2
39	HUSNA EDDY TUVA	Surveyor	239	0.1133	2
40	RASHID JUMA MWAJAMBALE		240	0.1161	2
41	RASHID JUMA MWAJAMBALE		241	0.0741	2
42	MEALI ALI MWASHAKA		242	0.0808	2
43	ASHA ALFAN DZAMBO		243	0.0991	2
44	MWANAISHA SHEE MWANALOZI		244	0.0991	2
45	ALI ATHMANI MWAKASHI	Chief	245	0.0991	2
46	MWANA IDI KHAMIS		246	0.0991	2
47	MEBAKARI MWINYI MWAZINDA		247	0.0991	2
48	MISHI JUMA HAMISI MBOKO	MP	248	0.0991	2
49	MASUD ALI MWAKILEO		249	0.0991	2
50	REHEMA MJENI CHAKA		250	0.0991	2
51	MARGARET MAYASSA TSIMBA	Ref.	251	0.0991	2
52	RIZIKI HAMISI SAID		252	0.0991	2
53	MOHAMED MAULIDI RATILI		253	0.0991	2
54	MWINYIHAJI MOHAMED SIBABU & ZUBERI ALI SIBABU		254	0.0991	2
55	MOHAMMED ALI MURUMWENGU		255	0.0991	2
56	MEBAKARI SULEIMAN JENJEWA		256	0.0991	2
57	BAKARI MOHAMED KOBA		257	0.0986	2
58	SWALEHE KOMBO KURAUKA		258	0.0986	2
59	MWANAJUMA MOHAMED		259	0.0986	2
60	MWANAULU RAMADHAN CHEKU & OMAR SWALEHE MCHANGAMWE		260	0.1018	2
61	MWANASITI OMAR KOMBAZA		261	0.1017	2
62	ZAINAB RAMADHAN SALIM		262	0.0991	2
63	MWANASHA KHAMIS MOHAMED		263	0.0991	2
64	MWANAMWINYI NINGALA HUSSEIN		264	0.1011	2
65	BINTI RAMADHAN MBADNI		265	0.1005	2
66	MWANAKAME ABDALLA MRONGO		266	0.0991	2
67	JAMES MWATHA GICHANA	Ref	267	0.0991	2
68	OMAR HAMISI MWAJAMBALE		268	0.0999	2
69	HAMISI JUMA MLAWA		269	0.0993	2
70	CAREN CHESANG JACOB	Ref	270	0.0991	2
71	MEALI HAMISI SELEWA		271	0.0991	2
72	MWANAMWINYI MOHAMED KASHEBWE		272	0.0987	2

273	ABDULAZIZ AHMED		273	0.1053	2
274	RATUMA SAID OMAR		274	0.0991	2
275	MESAID NASSIR MWATUJI		275	0.0942	2
276	SAID OMAR SAID		276	0.01163	2
277	MWARI RAMA CHIKUMO		277	0.1048	2
278	HAMISI HARE ABDALLA		278	0.1048	2
279	SULEIMAN MAFUTA MWANGUZA		279	0.1048	2
280	NASSORO IDI MWANYAMA		280	0.1048	2
281	ABDALLA MWINYI MWAPESA		281	0.1048	2
282	MOHAMED SALIM MWAMBELE		282	0.1154	2
283	ABDALLA SALIM MWAMBELE		283	0.1261	2
284	SALIM ABDALLA MWATUJI		284	0.1044	2
285	JUMA ABDALLA MWACHOKA & JUMA RAMADHAN MWAJAMBALEE		285	0.1044	2
286	AMINA ALI BOYA & BIBI SALIM FUNZA		286	0.1048	2
287	SHAHARI ZADI ALI		287	0.1095	2
288	SUBIRA MWINYI MWASABURI		288	0.1393	2
289	IDDI IBRAHIM NYAWA		289	0.1048	2
290	SHAKOMBO SALIM KUTUNYA		290	0.1233	2
291	NATHAN K. RUGUT	Ref	291	0.1133	2
292	MOHAMMED HASSAN FUNZA		292	0.1011	2
293	MWACHONDO M. NYAMAWI		293	0.1029	2
294	MJENI N. NYAMAWI	Ref	294	0.1013	2
295	MWALIMU ALI MAGADI		295	0.0935	2
296	SULEIMAN SAID ZANI & ABU OMAR NGALA		296	0.0985	2
297	HASSAN MBARUKU MWARAMONO, ALI HASSAN MWARAMUNO		297	0.1072	2
298	RAMA HAMISI MWAKUSUMBUA & SWALEHE HAMISI MWAKUSUMBUA & REHEMA HAMISI MVUMBO		298	0.0909	2
299	MATOKEO MAULIDI RATILI		299	0.0945	2
300	ZUENA SAID OCHIENG		300	0.1007	2
301	MWANASHA MOHAMED MWASARIA & MESAID MLAULA SHABAN		301	0.1007	2
302	JUMA RASHID MWABEGA		302	0.0968	2
303	BETTY KISA	Ref	303	0.0995	2
304	RASHID SWALEHE RASHID		304	0.0995	2
305	KASSIM MWINYI GONZI		305	0.1031	2
306	RASHID IBRAHIM ADAM & RUKIA YUSUF		306	0.1126	2
307	KELVIN BARASA KOKOMIA	Ref	307	0.1096	2
308	BWANA HAJI OMAR		308	0.1058	2
309	SUMAIA ABDALLA SAID		309	0.1057	2
310	IRENE AOKO WASONGA	Ref	310	0.0917	2
311	JOAN ACHIENG	Ref	311	0.0908	2
312	ISAAC WANJAU NJACHI	Ref	312	0.0526	2
313	WACHIRA MURIUKI	Ref	313	0.0520	2
314	BONIFACE SHABAN KABARITA	Ref	314	0.0516	2

	MA CHIZI NYAMAWI		315	0.0523	2
	ANAISHA A. MGUWA		316	0.0964	2
	MWANAMKUU MWENYI MWAKUPHA		317	0.0921	2
	ZUHURA RAMADHAN		318	0.1067	2
	BAKARI NASORO MWAKOBA		319	0.1027	2
	MISHI NJUNU IDI & MWANAKOMBO IDI	SWABRA	320	0.1448	2
	CAROLINE N. MWAI		321	0.1441	2
	JUMA HASSAN MAGOTI		322	0.0987	2
	HALIMA MWINYIKOMBO HASSAN		323	0.0821	2
	RAMA ALI MWAFISI, HUSNA BAHATI RANDIGA		324	0.0985	2
	MWANAMOTO ALI MOHAMED		325	0.0990	2
	LEMUEL JUMA MAKOKHA		326	0.0990	2
	LEMUEL JUMA MAKOKHA		327	0.0981	2
	ELIZABETH NZALA MILATY		328	0.0983	2
	ELIZABETH NZALA MILATY		329	0.0990	2
	TIMAA MAALIM GOSSO		330	0.0990	2
	BAKARI IBRAHIM NYAWA		331	0.0986	2
	IDI IBRAHIM NYAWA		332	0.0984	2
	IBRAHIM IDD MKANGA		333	0.0986	2
	MORINE ADHIAMBO		334	0.0986	2
	PAUL MWITI MUCHEKE		335	0.0986	2
	JASPER GITONGA GITARI		336	0.0990	2
7	MWANAHAMISI HASSAN ALI, MARIAM MASUDI KONGONINGA, MATANO OMARI SHAKOMBO		337	0.0990	2
8	MNGUMI BUBERI MWENGO & MWALIMU ZUBERI GANYUMA & FATUMA ATHMAN LIBUA		338	0.0990	2
9	FATUMA BAKARI MABOKO & MWANAJUMA ZUBERI GANYUMA & BINTI MOHAMED ZUBERI MASIKA		339	0.0990	2
	BIASHA ZUBERI ALI & HAMISI ATHUMANI MWAKUNYAPA & MEALI MWINYI KOMBO TSUMA		340	0.0990	2
	FLORENCE WANGARE DAVID		341	0.0990	2
2	MWANAKOMBO JUMATATU NGUMIA, HATUA MASUDI MWAKILEO, HASSAN JUMA KIDIMA		342	0.0990	2
3	MEALI MATANO SWALEHE, AMINA MATANO SWALEHE, REHEMA MATANO SWALEHE		343	0.1081	2
4	VIJIWENI POLICE POST		344	0.0757	2
5	RUKIA OMAR MAYUGA, FATUMA MASUDI MWALIMU, NASSORO MASUDI MAJIBU		345	0.0985	2
6	SALIM KHALID SAID		346	0.0807	2



347	MWATIME MOHAMED ROFISI	347	0.1203	2
348	ROFISI OMAR	348	0.0990	2
349	MEBAKARI ALI MWAMNYAZI, MISHI HAMADI ABDALLA, ASHA MATANO SWALEHE, KIBIBI MATANO SWALEHE	349	0.0990	2
350	REZI MWIRU RAJAB, BIDALA JUMA HAMADI, BINTIHAMISI JUMA MAKUSANY, FATUMA ABDALLA CHACHE	350	0.0990	2
351	MWANAISHA IDDI MSUMBAZI	351	0.0990	2
352	MWINYI KOMBO	352	0.0990	2
353	JUMA HAMISI MLINGO	353	0.0990	2
354	MEJUMAA HAMISI, OMAR ISLAM RANIAN, ABDALLA ALI MAKUSANYA, SALIM HAMISI CHAUNGA	354	0.0990	2
355	BINTI HAMISI KONGONINGA	355	0.0990	2
356	SALIM AMI SAIDI	356	0.0986	2
	NAFUU SAID MWASHAME, MWINYI MWARUNDU HAMISI	357	0.0986	2
358	MESAID HIDAYA FWEDAH	358	0.1028	2
359	REHEMA MWAVYOMBO	359	0.1028	2
360	ZENA HAMISI MAJEPO	360	0.1032	2
361	MUSA JUMA MWAWARE	361	0.1033	2
362	SALAMA ALI MBARUKU	362	0.1033	2
363	FATUMA HIDAYA FWEDAH	363	0.1032	2
364	ALI BAKARI SHAMBE	364	0.1032	2
365	SULEIMAN RASHID DENDE	365	0.1033	2
366	SARAH NDUTA MWANIKI	366	0.1034	2
367	MWIRINI MOHAMED MWINYIHAJI	367	0.1032	2
368	WILLIAM KAPTICH	368	0.1032	2
369	CAROLINE NANGEKHE	369	0.1034	2
370	AMANI OMARI RANJAN	370	0.1033	2
371	FARTUN ABDULNASSIR	371	0.1029	2
372	SALIM MOHAMED MWACHANDUGU & RUKIA SAID ABDALLA	372	0.0801	2
373	SALIM SALIM MWANDUNI RUKIA SAID ABDALLA & RUKIA SAID	373	0.0801	2
374	RASHID IBRAHIM ADAM	374	0.0990	2
375	FAIZA BREK BASHAD & SALIM MOHAMED MWACHANDUGU	375	0.0990	2
376-	JOYCE MNDEYE MWERO	376-	0.0990	2
377	SAID SALIM MWAYAMBA	377	0.0990	2
378	ASHA SALIM MWAYAMBA	378	0.0990	2
379	ESHA MWINYIKOMBO MWAKILEWA	379	0.0990	2
380	ROFISI OMAR	380	0.0990	2
381	DAVIS KIMATHI KAMUNJE	381	0.0990	2
382	PAUL MWITI MUCHEKE	382	0.0990	2
383	OMAR MOHAMED	383	0.0990	2
384	OMAR MOHAMED	384	0.1024	2

	...RAHMAN RASHID CHIKOZA	385	0.1090	2
	...IM NASSIR MATUJI	386	0.0912	2
	...AMISI MOHAMED LIBUA	387	0.0992	2
	ABDALLA MWARUWA	388	0.0992	2
89	SABITI NASSIR SALIM	389	0.0987	2
90	HAMISI ABDALLA MWADONDO	390	0.0988	2
91	MASUDI ABDALLA MWAKIFUPA & HAMISI ABDALLA MWAKIFUPA	391	0.0988	2
92	MWANAHAHAMISI HAMADI MWAGANYIKA	392	0.0988	2
93	SHANI ABDALLA, SALAMA ALI	393	0.0992	2
94	NURI ALI GAKWELI	394	0.0992	2
95	OMARI HASSAN NGUO	395	0.0992	2
96	ROSELINE NAKHUNGU KUTOI	396	0.0992	2
97	RIZIKI HASSAN NGUO	397	0.0992	2
98	NGUO HASSAN MWINYI	398	0.0992	2
99	MARIAM MWINYI JUMA HAJI	399	0.1011	2
00	ATHUMANI SULEIMAN BAJIJI	400	0.0991	2
1	ALI SALIM BAKARI	401	0.0919	2
2	SALIM ALI MWAPHOPHOYA TIME ALI MWAPHOPHOYA	402	0.1128	2
03	SULEIMAN ALI MWAPHOPHOYA ABDALLA ALI MWAPHOPHOYA	403	0.0987	2
04	KIBIBI ALI MWAPHOPHOYA MWANAMKUU ALI MWAPHOPHOYA	404	0.0992	2
05	UBA ALI MWAPHOPHOYA HAMISI ALI MWAPHOPHOYA	405	0.0992	2
06	SUBIRA ALI MWAPHOPHOYA	406	0.0992	2
07	ABDALLAH HAMISI MALEVI	407	0.0992	2
08	SEIF RIGHA BLAZI	408	0.0992	2
09	LUKE MUTISO MUISYO	409	0.0992	2
0	PHILIP OKUMU APAMO	410	0.0992	2
1	JUMA MOHAMED PINDA	411	0.0992	2
	RAMA SALIM MWACHAMANGA	412	0.0992	2
3	BAKARI NASSIR MWATUJI	413	0.0964	2
4	ABDALLA MOHAMED MWAMBELE	414	0.0992	2
	MASJID RAHMA	415	0.1016	2
	ABEID MAJIBU MWACHILEO HAMAD ABEID MAJIBU	416	0.1173	2
7	MWANATUMU MWINYI MWAKUPHA	417	0.1120	2
8	MWINYI HAMISI MWAKUPHA	418	0.1121	2
9	MARTIN JOHN KOLE	419	0.1114	2
0	SUSAN NDUNG'U	420	0.1128	2
1	NGINA JOEL MWANIKI	421	0.1129	2
2	BERNARD DANIEL WAITA	422	0.1099	2
3	NIMUSIMU IDDI MWASINA	423	0.1135	2
4	IDDI ALI MWASINA	424	0.1113	2
5	1DDI MOHAMED MWASINA	425	0.0990	2
5	FATUMA IDDI MWASINA	426	0.1142	2

427	ALI MVUMBO IDDI MWASINA	427	0.0954	2
428	NIMUSIMU IDDI MWASINA MWANARUSI NKATA MWASINA	428	0.0972	2
429	RASHID HAMISI MWAHEZI	429	0.0979	2
430	MWANARUSI MOHAMED MWAGAMOYONI	430	0.0969	2
1	SAMIRA SWALEH ABDALLAH	431	0.6880	2
2	RAJAB JAFFAR MWAZECHA	432	0.1268	2
433	ISSA ABDALLA NGARE	433	0.1130	2
434	MWANATUMU KAMRAN NGARE	434	0.1064	2
435	MZEE SAID NGARE	435	0.1028	2
436	BINTI KAMRAN NGARE	436	0.1085	2
437	MOHAMED KAMRAN NGARE	437	0.1085	2
438	SHOO KAMRAN NGARE	438	0.1085	2
439	NGARE SAID KAMRAN	439	0.1085	2
440	MWENDE MBITI KISOWE	440	0.1085	2
441	MWENDE MBITI KISOWE ABDALLA ABDALLA RAMOYONI	441	0.1085	2
442	STAMILI ABDALLA RAMOYONI	442	0.0764	2
3	ASHA ABDALLA RAMOYONI	443	0.1085	2
4	FURAHA ABDALLA RAMOYONI	444	0.1300	2
445	MEJUMAA HAMADI	445	0.0996	2
446	MWANASHA ALI RASHID	446	0.1019	2
447	SALIM OMAR SUMUNI BIDALA OMAR MWATABU	447	0.1158	2
448	HAMADI ALI MWACHIGUO MWANASHA HAMADI	448	0.1001	2
449	HAMADI ALI MWACHIGUO BINTI HAMADI HAMADI	449	0.1001	2
450	MOHAMED SAID BWANAIMANI	450	0.1047	2
451	RASHID ALI RASHID	451	0.1064	2
452	ALFAN RASHID MTSUMI	452	0.1141	2
453	SULEIMAN HAMAD MWACHIGUO	453	0.1000	2
454	ALI ALI SALIM MOHAMED ALI KASHEMBWE	454	0.0986	2
455	ELMELDA WAMBUGHA MWANGUWA	455	0.0986	2
456	SAID ABDALLA MADZUNGA	456	0.0991	2
57	SAUMU HAMADI TUJI	457	0.0991	2
58	MWANAIKI SHABAN RAJAB & MWAKA SHABAN RAJAB	458	0.0991	2
459	ALI SWALEHE MAKUSANYA	459	0.0991	2
460	ABDALLA MOHAMMED TUJI	460	0.0991	2
461	RIZIKI OMAR	461	0.0991	2
462	MOHAMED ALI TUJI	462	0.1205	2
463	RAMADHAN MWINYI HAJI	463	0.1327	2
464	ALI HAMADI MWANGANYIKA	464	0.0899	2
465	MWANASITI HAMADI MWAGANYIKA	465	0.0904	2
466	HAMADI ALI MWACHIGUO	466	0.1183	2
467	MOMO HAMADI	468	0.1051	2
468	HAMADI ALI MWACHIGUO	467	0.1051	2
469	ABDULRAHMAN HAMADI ALI	469	0.1051	2

	MA HAMADI	470	0.1051	2
	ANAKAME HALFAN, HALFANI OMAR	471	0.1051	2
	MWANASADA MATANO & SAUMU BAKARI AMIR	472	0.1051	2
73	BAKARI ALI TUJI	473	0.1046	2
74	ASHA SULEIMAN	474	0.1046	2
75	ZUHURA MZEE KABURUNZA	475	0.0986	2
76	MIZE NKIAKA MWARYAKA	476	0.0986	2
77	MWANAKOMBO SALIM MWANDUNI	477	0.0991	2
78	BINTI ALI MOHAMED MWARANZAKA	478	0.0991	2
79	MWANAISHA ABDALLA BAKULI	479	0.0991	2
80	ALI MOHAMED MWACHANDUGU HAMISI FONDO KOMBO	480	0.0991	2
81	SWALEH HUSSEIN	481	0.0991	2
82	MWANATIBU MOHAMED MWACHANDUGU	482	0.0991	2
83	MWANASITI MOHAMED MCHAMAMBA	483	0.0991	2
84	ALI HUSSEIN BAKARI	484	0.0991	2
85	ABDALLA RASHID CHACHE HASSAN ABDALLA CHACHE	485	0.0986	2
86	JUMAPILI ALI KASHEMBWE	486	0.0986	2
87	MARIAM ABDALLA MWAKAZI	487	0.1046	2
88	JARUMANI MOHAMED BOHERO	488	0.1013	2
89	MOHAMED BREIK BASHADI, ALI BREKI MOHAMED	489	0.1011	2
90	RASHID MWINYIHAJI GAKWELI	490	0.1051	2
91	JARED OTIENO OKECH	491	0.1051	2
92	MOHAMED HUSSEN MWAMTUKU	492	0.1051	2
93	MEMISAP HUSSEIN	493	0.1051	2
94	BAKARI ALI TUJI	494	0.1046	2
95	BIBI BAKARI MWAGANYIKA	495	0.1051	2
	MOHAMMED ALI MWATUNZA	496	1.1090	2
97	SEFU BAKARI HUSSEIN	497	0.1144	2
98	MWANAISHA SAID HAMISI	498	0.1095	2
99	FATUMA ATHMANI KIHUNGU	499	0.1292	2
00	MEFUNDI HASSANI MWAKIHUNGU	500	0.0981	2
01	MWALIMU MAGONGO MWACHIHUNGU	501	0.1360	2
02	MWANAMISI MOHAMMED MWALITESO	502	0.1356	2
03	MASJID FATMA	503	0.1038	2
04	JUMA MWINYI MWAMVOI	504	0.1096	2
05	FURAHA ABDALLA RAMOYONI BARAKA ABDALLA RAMOYONI	505	0.1099	2
06	MWINYI JUMA MWARANDU	506	0.1103	2
07	MWANATUMU HASSAN RAJAB	507	0.1103	2
08	ASHA JUMA	508	0.1103	2

509	ELIZABETH CHELAGAT	0.1103	2
510	MWANAMKUU HAMADI MWAMGOLO	0.1103	2
511	FATUMA ABDULRAHMAN ARAJI	0.1103	2
512	MWANAKAME SALIM LELA	0.1097	2
513	MATUNDA SAID KUKISIWA & MWANAMISI MOHAMED ZAKARIA	0.1097	2
514	MWANAMISI MOHAMED ZAKARIA	0.0976	2
515	ASINA ALI SIBAHU	0.0976	2
516	TOPISTER WILLYCHISTER	0.0980	2
517	LILIAN ONYANGO MAKHUNO	0.0980	2
518	HAMISI JUMA MWACHARO MESAIDI JUMA	0.0980	2
519	MESALIM JUMA MWANAMGENI JUMA	0.0980	2
520	ABDALLA MWAKIBUNDO	0.0980	2
521	FATUMA ABDALLA RAMOYONI ASHA ABDALLA RAMOYONI	0.0980	2
522	MWANAJUMA ABDALLA RAMOYONI	0.0976	2
523	MUTUKU ABDALLA RAMOYONI	0.0976	2
524	HAFIDHA WAKESHO MSECHU	0.1010	2
525	AHMED IBRAHIM HUSSEIN	0.1065	2
526	ABAS MOHAMMED HASSAN ABSIYE	0.0906	2
527	JELLE ALI GURE	0.1133	2
528	PHILIP AMOSA ABOKI	0.0943	2
529	RUKIYA CHINYAVU SHABAN	0.1087	2
530	ABIRA AHMED MUHUMED	0.1125	2
531	FATUMA OSMAN ABDI	0.0906	2
532	FATUMA JELLE ALI	0.0906	2
533	YAKUB MOHAMED SAMOW	0.1125	2
534	MADINA ATHUMANI MWAKUAZA, BILAL KAMRAN NGARE	0.1087	2
535	MWANAMKASI SEIF RAMADHAN	0.0938	2
536	AMINA ALI NGARE	0.0975	2
537	BIDALA ABDALLA MWACHANDAMA	0.0906	2
538	NATHANIEL NYOIKE KABA	0.1015	2
539	SIMON PETER KABA	0.1033	2
540	JUDAH MUTHUNGU NYOIKE	0.0900	2
541	MBITHI BENARD	0.1151	2
542	GANJIRANI JUMAA MWAMWENDA	0.1151	2
543	ALI HAMISI MVUMBO	0.1151	2
544	SOFIA IBRAHAM MROFIFI HALI HAJI MWACHAPWANI	0.1151	2
545	ZUBERI ALI MWITU MWANAMISI ALI ZUBERI ABDALLA ALI ZUBERI	0.1151	2
546	MWANAHALIMA KANAMANONO KINYALU FATUMA ALI SIBABU	0.1151	2
547	HASSAN ZUBERI KINYALU	0.1151	2

	UBERI SIBABU			
	EKWE ABDALLA MRONGO			
	BAKARI ABDALLA MWAKINGABWI			
0	PETER NGETI LAGHO			
1	ATHMAN HASSAN KIHUNGU			
2	PHILES NDUNGE JOHN			
3	SULEIMAN MAZERA MTENDE			
4	MARIAM JUMA NGEMA SWALEH MOHAMED NYOKA SULEIMAN JAMBIA ATHUMAN			
5	MWALIMU MWINYI MWAKASHI			
6	SULEIMAN MAZERA MTENDE			
7	NADZUA ALI MWACHANDUGU MEBAKARI ALII BAKARI MWANAMISI ALI BAKARI			
8	IDA OMARI FONDO BAKARI ALI			
9	SAIDA JUMANNE MBWANA & MWANAJUMA SULEIMAN MCHIPOFU			
0	JUMA MWAMTUKU ALI FONDO CHARO FONDO			
1	JUMA ATHMAN KIUGU BAKARI MLISHO BAYA			
2	KHAMIS SULEIMAN			
3	HASSAN ATHUMANI MWACHIHUNGU			
	ABDALLA MWINYIHAMISI MOHAMED			
	RASHID MWINYIHAMISI JUBA			
	MWANALIMU MASHA IHA			
	MWANALIMU MASHA IHA & ABDULRAHMAN MWALIMU MASHA			
	FAROUK ABDALLA MWAVYONI			
	MOHAMED MWNYI ZOLOLO			
	MWANALIM MASHA IHA ABDULKADIR MWALIMU MASHA			
	NYAKI PIUS NDEGWA			
	RIZIKI ABDALLA MWAMBELE			
	MWANASHA MOHAMED MWATUJI			
	ATHUMANI MOHAMED MWAMBELE			
	MEJUMAA MOHAMED MWATUJI			
	ABDALLA ALI MWAPOROJO & MZURI ALI			
	MWANATUMU ALI MAGADI			
	MWANASADA MOHAMED SIMBA			
	ALI MWALIMU MAGADI			
	LELA HAMISI ALI & FADHILA RAMADHANI CHISIRIMA			
	BIENI OMARI ATHUMAN			
	ABEID HAMISI MAANDAZI			

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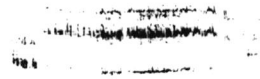

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584	SALIM MOHAMED MWABUNDU	584	0.1131	1
585	HAMADI RAJABU HAMADI	585	0.1008	1
586	BIASHA MASUDI MWACHILEO	586	0.1151	1
587	JOHARI JUMA HAMISI	587	0.1008	1
588	AMINA ALI MOHAMED	588	0.0966	1
589	SAIDI ALI NGARE & ALI SAID NGARE	589	0.1020	1
590	JUMA ALI MWAJANI	590	0.1020	1
591	JUMA SAIDI NGARE	591	0.1020	1
592	YASIN SAIDI NGARE	592	0.1020	1
593	RAJAB HAMADI RAJAB	593	0.0850	1
594	SAIDI HAMISI MWAPEPHO	594	0.1020	1
595	SHAULILA ZUBERI KIBWANA	595	0.1020	1
596	HALIMA MFAKI SILIPAH	596	0.1190	1
597	ZUBERI KIBWANA MWAGANYIKA	597	0.1012	1
598	ALI ZUBERI WASIWASI	598	0.1459	1
599	MISHI OMARI NYERE	599	0.1133	1
600	YUSUF RUGAINI MSECHU	600	0.0987	1
601	ATHMAN HASSAN KIHUGU	601	0.1004	2
602	ATHMAN HASSAN KIHUNGU	602	0.1004	2
603	FRANCIS LOSEGE DAVID	603	0.1004	2
604	ATHMAN HASSAN KIHUNGU	604	0.0995	2
605	FRIDAH MAGHUWA NGALIMA	605	0.01000	2
606	SALIM MIHAMED KUNGU MISHI JUMA SALIM	606	0.1369	2
607	SAUMU OMARI NYERE	607	0.1013	1
608	ALI JUMA MWARAMIA	608	0.0940	1
609	JUMA ALI MWAJANI & HADIJA MWAKAZI	609	0.1301	1
610	NASSORO SAID HELEFU	610	0.1004	2
611	TIMOTHY MBURI GITHENDE	611	0.1004	2
612	MWANAMISI ALI BAKARI	612	0.1294	2
613	KASHEMBWE ATHUMAN NDALA	613	0.1443	2
614	ATHUMANI ATHUMANI HASSAN & FATUMA ATHMAN KIHUGU & AISHA ATHMAN HASSAN	614	0.1097	2
615	ATIE ISSA AHMED AISHA ATHUMAN HASSAN	615	0.1058	2
616	MWANASHALI FESWAL ABDALLA	616	0.1085	2
617	ISSA KHAIF ISSA	617	0.0996	2
618	ISSA KHAIF ISSA	618	0.1010	2
619	KHAMIS SAID KHAMISI	619	0.0843	1
620	FADHILI MWISHE MWAKIUTU	620	0.0882	1
621	LUBNA KHAMISI	621	0.0814	1
622	JUMA RAMADHANI UWEZO	622	0.0780	1
623	MWANAKOMBO RAMADHANI	623	0.1022	1
624	SAMAHA KHAMISI SAID	624	0.1112	1
625	SHEM MORARA GISORE	625	0.0896	1
626	HUSSEIN KHAMISI SAID	626	0.1020	1
627	AMBARI SALIM MAJITO	627	0.0120	1

	EH KHAMISI GOWA	628	0.0120	1
	ABDULKADIR MWACHICHA ATHMAN	629		
	JUMA MOHAMED MALEVI	630	0.0120	1
	ALI MOHAMED MWADZUCHI	631	0.0120	1
32	JUMA MWARAMIA	632	0.0120	1
	MOHAMED OMARI MWATUPI & RAMADHAN SALIM SARAI & NASSORO SULEIMAN KOBA & SWALEHE MOHAMED MWANAPHILA	633	0.0120	1
34	MOHAMED ALI CHIREMA	634	0.1012	1
35	MAJANI HAMISI ASINI	635	0.1012	1
36	MOHAMED MAKAZI BAKARI	636	0.1083	1
37	OMAR BAKARI MSHELA	637	0.0708	1
38	ALI BAKARI MAKAZI	638	0.1012	1
39	MWANAKOMBO NKUJUTA BAKARI	639	0.1012	1
	MWANAKOMBO BAKARI MCHETU	640	0.1012	1
	HAMISI MAKAZI	641	0.1012	1
	MOHAMED MAKAZI BAKARI	642	0.1007	1
43	MAYASA MOHEMEDI NKUJUTA	643	0.1007	1
44	FATUMA ALI NGARE	644	0.1007	1
45	ASHA JUMA MAMAKA	645	0.1007	1
46	MWANATIBU FAMU	646	0.1012	1
47	FATUMA OMAR MLAULA	647	0.1012	1
49	MOHAMED JUMA MWAKOBA	649	0.1012	1
50	HALIMA JUMA KOBA	650	0.1012	1
51	ASHA JUMA KOBA	651	0.1012	1
52	MWANAIDI JUMA KOBA	652	0.1012	1
53	SALIM JUMA MWAKOBA	653	0..1007	1
54	SAUMU MOHAMED CHOCHOTE	654	0.1007	1
55	REHEMA HASSAN KIDIMA	655	0.1007	1
56	ALI SAIDI MTSUMI	656	0.1007	1
	MWANASHA MWAMADI CHOCHOTE MWANAJUMA MOHAMED CHOCHOTE	657	0.1012	1
	SAUMU MOHAMED CHOCHOTE NASIBU MOHAMED CHOCHOTE	658	0.1012	1
9	REHEMA MOHAMED CHOCHOTE MWANALIMA MOHAMED CHOCHOTE	659	0.1012	1
0	MWANATUMU MOHAMED CHOCHOTE CHUMA MOHAMED CHOCHOTE	660	0.1012	1
1	YUSUF RUGAINI MSECHU	661	0.1012	1
2	MISHI JUMA KHAMISI MBOKO	662	0.1012	1
3	MAU MOHAMED ALI	663	0.1012	1
4	FATUMA CHOCHOTE	664	0.1012	1
5	FATUMA HASSAN KIBIRINGE	665	0.1012	1
6	SULEIMAN HAMISI MBAYA	666	0.1012	1
7	JUMAA BAKARI MWAKODZA	667	0.1007	1

66	MOHAMED I ATHUMANI MWAMACHERO		668	0.1007	1
69	MWANAJUMA MOHAMED		669	0.1007	1
70	HAMISI JUMA GUGU		670	0.1007	1
71	SALIM BAKARI JENJEWAZ		671	0.1012	1
72	KIBIBI MOHAMED CHOCHOTE & FATUMA MOHAMED CHOCHOTE		672	0.1012	1
	HUSSEIN RAJAB ATHMAN		673	0.1012	1
74	HAMADI IDDI BOGA		674	0.1012	1
75	MWANISHA JUMA GUGU & UBA HAMISI SEIF		675	0.1012	
76	MWALIMU SWALEHE MAGONGO		676	0.1012	1
77	MWANISHA JUMA GUGU & BINTI HAMISI SEIF		677		
78	WILLS OKETCH GERALD		678	0.1012	1
79	ZUHURA MOHAMED SWALEHE		679	0.1012	1
80	GEORGE AMUHAYA AMUKOTE		680	0.1012	1
81	HUSSEIN HASSAN MAGANGA, SALIM ALI MASA		681	0.1007	1
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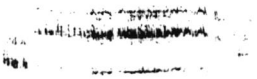
84	MWAKA MOHAMED MWAPOPHO		684	0.1007	1
85	SUDI SAIDI SARAI		685	0.1012	1
86	JUMA HAMISI HAGA		686	0.1012	1
87	ZACHARI MDOGO		687	0.1012	1
88	JUMA HAMISI MWAJAMBALE, OMAR HAMISI MWAJAMBALE		688	0.1012	1
89	ABDIWAHID GULIYA HUSSEIN		689	0.1012	1
90	SAID NURU SAID		690	0.1012	1
91	HAJI ABDALLA SUMUNI		691	0.1007	1
92	HAJI ABDALLA SUMUNI		692	0.1007	1
93	SALIMU BAKARI MWACHIBIRITI		693	0.1007	1
94	SEIF ALI MWAKANAPHO, SALIM BREK MOHAMED		694	0.1007	1
95	SULEIMAN MOHAMMED KIMWAYA, HAMISI MWINYI HAMISI MWINYIHAJI		695	0.1012	1
5	FATUMA BAKARI KIBWANA & MWINYIUSI ABDALLA MWABAGALA		696	0.1012	1
697	ALFANI ATHMANI OMARI		697	0.0998	1
698	HAMADI SAIDI MASAI		698	0.1217	1
699	HAJI ABDALLA SUMUNI		699	0.1057	1
700	SULEIMAN KAMUNDE MWINYI		700	0.1184	1
701	LUVUNO GOLOLI MWANGOMBE		701	0.1113	1
702	SAID MWINYI SUMUNI		702	0.1113	1
703	HAMISI MWINYI SUMUNI		703	0.1113	1
704	LUVUNO GOLOLI MWANGOMBE SULEIMAN KAMONDE MWINYI		704	0.1113	1
705	HAROON MWINYI		705	0.1108	1
706	ALI MWINYI SUMUNI		706	0.1108	1
707	MOHAMED SAID NYERE		707	0.1108	1



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11	FATUMA MBWANA MWAVIDEMU			
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13	SWALEHE SAID JUMA			
14	MOHAMED MWALIMU NASSORO			
15	MOHAMED ALI SIBABU, MOHAMED MWALIMU GANYUMA			
16	CLAUDIA K. KAHINDI			
17	MAKOMBO SALIM CHIGARIBWE, SALIM MAKOMBO, MIRAJ MAKOMBO			
18	HAMISI KOMBO MWACHIGARIMBWE, ZAWADI MAKOMBO CHIGARIBWE & MWANATUMU MAKOMBO CHIGARIWE			
19	JUMA MAKOMBO MWACHIGARIMBWE, MWANAJUMA BAKARI MGOSHI, ALI MASUDI MWADZOGO			
20	ASHA MAKOMBO MATUMBONI, ASHA HAMISI MWACHIGARIMBWE, MAGDALYNE MBINYA MUANGE			
21	SUDI MWAKOMBO MWAKWAMBIRWA, MWANAHAMISI MAKOMBO MWACHIGARIMBWE & NOORDIN HAMISI KOMBO			
22	NASSORRO ALI MWACHIGARIMBWE, MWANASITI MAKOMBO			
	MESALIM GANADZA			
24	PENGINE SAID KATUM			
25	MOHAMED YUSUF			
26	SHAKOMBO SALIM KUTUNGA			
27	MOHAMED ALI SIBABU			
28	MOHAMED ALI CHAMZUZU			
29	MOHAMED MWALIM NYAUME, HAMADI MOHAMED MWAGONGOLO			
30	IBRAHIM IDI IBRAHIM			
31	MEJUMAA MASUDI MNGUMI			
32	MWINYIHAJI RASHID GAKWELI			
33	HUSNA BAHATI RANDIGA			
34	MOHAMED HAMISI MWABASHO			
35	ATHMAN MWALIMU MWAKASH			
36	AUGUSTINE NYAKI NTHUMBI			
37	MWANASHA MKUZI ATHUMAN			

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738	MUSA RADHA ABDULRAHMAN	0.0825	1
739	HILAL MOHAMED NJELA	0.0825	1
740	NGENI MWALIMU	0.0825	1
741	SAMUEL NGETE	0.0825	1
742	MWALIMU SAID SIMBA	0.0825	1
743	MARIAM MWALIMU	0.0825	1
744	ZULPHA SALIM MWADZIMIRA	0.0825	1
745	HABIBA ABDALLA KATUMU	0.0825	1
746	HAMADI MOHAMED HAJJ & MOHAMED HAMAD MOHAMED	0.0825	1
747	ABDULKADIR SWALEH RASHID	0.0825	1
748	RASHID SWALEH RASHID	0.0820	1
749	FATMA SWALEH RASHID	0.0820	1
750	MWALIMU ALI ABDALLA	0.0986	1
751	ALI ABDALLA MWAKODOTI	0.0986	1
752	FATUMA ALI SEFU	0.0990	1
753	MOHAMED ALI SEFU	0.0990	1
754	MOHAMED RASHID ALI	0.0990	1
755	ESHA RASHID MWAMAMBO	0.0990	1
756	ABEID CHOME MWALIMU	0.0990	1
757	REHEMA HAMISI MKATE	0.0990	1
758	SAID ALI, MWINYI HAMIS	0.0990	1
759	SHABAN ALI	0.0990	1
760	DZILALA FAMILY	0.0990	1
761	DZILALA FAMILY	0.0990	1
762	ABDALLA MWINYI HAMISI PODZO, RAMADHAN SALIM SARAI	0.0990	
763	ATHMANI HAMISI MACHESO	0.0990	1
764	DZILALA FAMILY	0.0990	1
765	OMARI ABDALLA MWAGADI	0.0990	1
766	SUSAN WANJIKU KIONGO	0.0990	1
767	MEJUMAA MUSA MAWARI	0.0990	1
768	MARGARET OKOTH	0.0990	1
769	MAWAZO SEIF MOHAMED	0.0990	1
770	MWANAMWINYI JUMA MWAGONGOLO, NASSORO SAID MWASARIA	0.0956	1
771	VIJIWENI A. POLICE CAMP	0.0990	1
772	VIJIWENI A. POLICE CAMP	0.1340	1
773	JOYCE CHAUSIKU	0.1049	1
774	SWALEH MOHAMED DZILALA	0.1028	1
775	MWANAISHA IDD MWADUNGUDU	0.0985	1
776	MWANAIKI SHABAN RAJAB & MWAKA SHABAN RAJAB	0.0988	1
777	MEMSAP MOHAMED MWAKAZI	0.0988	1
778	MWANAISHA CHANZA NDOLO	0.0985	1
779	IDDI RASHID MWADUNGUDU	0.1819	1
780	LEYLAH IDDI RASHID & MEBAKARI CHIKUTI IDDI	0.1063	1
781	ALI JUMA DILAWA	0.1063	1
782	ATHUMANI HAMISI MACHESO	0.0987	1

	IDD MWADZINGUDU & RASHID EDA IDDI & KOMBO MOHAMED MACHACHE	783	0.0985	1
	RAMADHANI SALIMU SARAI, MWAGOFWA RAMADHAN, MIMI MWAGOFWA RAMADHANI	784	0.0985	1
	HAMADI ABDURAHMANI MWAMBWIYA, MGENI HAMAD GAVANO, OMAR HAMAD	785	0.0987	1
86	AMBROSE LITINA OLINGA	786	0.0986	1
87	NURU ATHMAN KIBIBIGE	787	0.0985	1
88	IRENE AKOTH OGUTU	788	0.0985	1
89	MWANAJUMA ALI MWARAMIA	789	0.0986	1
90	WILLIAM LUCHEBELELI ANDAYI	790	0.0986	1
91	PATRICK IMINJINI ENACHI	791	0.0985	1
92	MOHAMED JUMA DZAWARA	792	0.0985	1
93	ABDALLA KIKOZO	793	0.0985	1
94	ASINA ALI SIBABU	794	0.0985	1
	FATUMA KASSIM YUSSUF	795	0.0985	1
	ALI IDDI MWINJAKA	796	0.0985	1
97	SALIM SALIM DZOHO	797	0.0985	1
98	JUMA MOHAMED MWADZAPHAPA	798	0.0980	1
99	MWANAHAMISI MOHAMED DZAWARA	799	0.0980	1
00	ABDALLA HAMISI SIMBA	800	0.1058	1
01	KESHI HAMISI MWALAVU	801	0.1058	1
02	ALI KIDZIWE MWALIMU, MWAGOFWA RAMADHAN	802	0.1063	1
03	HAMISI KOMBO	803	0.1063	1
04	OMAR MWAMREZI HAMISI	804	0.1063	1
05	SUBIRA RASHID MWAJURA	805	0.1063	1
06	MWANAHAMISI SAID NIMANDANO	806	0.1063	1
07	FATUMA JUMA HAMISI	807	0.1063	1
08	ABDULLAHI OMAR KONDE	808	0.1063	1
09	GIBSON MUDAKA MIROYO	809	0.1063	1
	HABIBA ABDALLA KATUMU	810	0.1063	1
11	MBARAK ISLAM ABEID	811	0.1063	1
	MWANAJUMA ALI MARAMIA	812	0.1063	1
	MARTHA KINYAVU DZAYA	813	0.1063	1
14	CHARLOTE MBODZE KUDUKU	814	0.1063	1
15	ZULFA SALIM MWADZIMIRA	815	0.1063	1
16	MATANO JUMA MWAKILEO	816	0.1063	1
17	MWANAHAMISI ALI MWAKIVOYERO	817	0.1063	1
18	FLORENCE WERE NYENDE, FRIDAH KANYUA MUTHURI	818	0.1063	1
19	HADIJA ALI MGUA	819	0.1063	1
20	SALIM BAKARI MWAMTUKU	820	0.1309	1
21	MOHAMED SALIM MWANDUNI	821	0.0995	1
22	OSCAR NGALA PEMBE	822	0.0995	1
23	BINTI ALI MOHAMED MWARANZAKA	823	0.0999	1
24	SAUMU SALIM FUNZA	824	0.0999	1
25	OMAR SALIM ABDALLA	825	0.0995	1

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	IPTISAM SAID SWELIM	865	0.1116	1
6	RUKIYA ABDALLA HUSSEIN	866	0.1116	1
67	HUSSEIN ABDALLA HUSSEIN	867	0.1122	1
68	SAMIRA ALI NASSIR	868	0.1185	1
9	FATUMA SAID SUELOM	869	0.1093	1
70	ALI MOHAMED & FATUMA ALI MOHAMED	870	0.1094	1
71	RASHID HAMISI MWANYENDESI NURI MNGUMI KONGONINGA	871	0.1091	1
72	RASHID MOHAMED HASIDI	872	0.1088	1
73	MEALII MWALIMU MLAULA	873	0.1085	1
74	MWATIME BAKARI MLAULA	874	0.1060	1
75	MWANAJUMA OMAR MLAULA	875	0.1064	1
76	BINTI OMARI ZUBERI MWITU	876	0.1060	1
77	ZACHARIA MDOGO TONGOO & JUMA MAGA HAMISI & NURU ZAIDI MWAGONGOLO	877	0.1000	
78	HARUSI FREDRICK BEMARONDA	878	0.1000	1
79	MEJUMAA JUMAA NIMARERE	879	0.1004	1
80	IBRAHIM KESI HAMISI	880	0.1004	1
81	NASORO MWAKOBA	881	0.1035	1
82	FIRDAUS KOMBO VUCHE	882	0.1034	1
83	SULEIMAN NASSORO MWAKOBA	883	0.0968	1
84	OMAR BAKARI MLAULA	884	0.0972	1
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86	HAMISI OMARI MLAULA	886	0.1008	1
87	NASSORO MWAKOBA	887	0.1008	1
88	MOHAMED RIVA MWISHEE	888	0.1008	1
89	ALI OMARI MLAULA	889	0.1091	1
90	MESALIMU GANADZA	890	0.1095	1
91	MISWALEHE JUMA ALI	891	0.1092	1
92	MASJID ABUBAKAR SIDIQ	892	0.0918	1
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98	OMAR SHEE MWAMAUTA	898	0.0995	1
99	NASSEM ISAA FARAJI	899	0.0995	2
00	VIRGINIA M. MUTISYA & BETTY MACHO OJIAMBO	900	0.1066	1
01	EDWARD MENZA	901	0.1066	1
02	BIASHA JUMA HAMISI & SALIM JUMA MWAMACHENYE	902	0.1208	1
03	DORBIBI GHALI B ABDALLA	903	0.1208	1
04	KONGO MOHAMED MADUNDO & RUKIA MOHAMED MADUNDO	904	0.1208	1
05	SAUMU ALI MOHAMED, MAU MOHAMED MADUNDO	905	0.1208	1
06	ZABIBU MOHAMED MADUNDO	906	0.1208	1

907	FATUMA MOHAMED MADUNDO & JUMA MBOKO MADUNDO		907	0.1308	1
908	MWANAMWEITI MOHAMED MADUNDO		908	0.1308	1
909	MOHAMED MOHAMED MADUNDO		909	0.1308	1
910	REHEMA JUMA MBOKO		910	0.1176	1
911	MISHI JUMA HAMISI		911	0.1176	1
912	RASHID MOHAMED CHOCHOTE, HASSAN MOHAMED CHOCHOTE		912	0.1007	1
913	ASHA MOHAMED CHOCHOTE		913	0.1007	1
914	ASHA SULEIMAN NCHANYUMA		914	0.1012	1
915	MWATIME KHALFANI MWAJANDO		915	0.1012	1
916	ESTHER DAMA FRANCIS		916	0.1012	1
917	ABDALLA ALI SIMWATI		917	0.1012	1
918	MWANAMKUU HAMISI CHAMA		918	0.1012	1
919	BAKARI ALI SIMWATI		919	0.1012	1
920	MWARI ALI SIMWATI		920	0.1007	1
921	HAMISI ABDALLA MWAUYONI, MWITU MWALIMU GANYUMA		921	0.1007	1
922	JUMA SWALEHE MWAMAKA		922	0.1007	1
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924	ABDALLAH BAKARI MWAKAZI ASIA BAKARI		924	0.3606	1
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927	AMINA ATHMAN KIBIRIGE		927	0.1081	1
928	MOHAMED RIVER MWISHEE MWANAMISI MOHAMED MWISHEE		928	0.1081	1
929	ZAINABU ABDALLA MWAKA		929	0.0900	1
930	ARAFAT MWISHEE MWINYIHIJA		930	0.1162	1
931	MWINYIHIJA MWISHEE MWAKIUTU		931	0.1081	1
932	RAMADHAN JUMA UWEZO		932	0.1062	1
933	ALFAN BAKARI TOMAS		933	0.1410	1
934	RASHID ABDALLA MWARUA, SWALEHE ATHUMAN MWAGUAZA		934	0.1367	2
935	HAMISI O. MWABASHIDI & ALI SWALEH MWAKUSANYA		935	0.1396	1
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937	HASSAN MWINYIKAI MWAKIPHANDULO & BIASHA HAMISI SEIF		937	0.1117	2
938	HAMISI SAID MWAKAZI		938	0.1396	1
939	SAIDI HAMISI MWAPEPHO		939	0.1396	1
940	CHIKU JUMA KANDAWALA		940	0.1117	2
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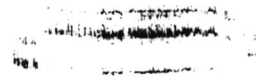
942	SALIM MBAYA SALIM, ABIBA ABDALLA KATUMU		942	0.1306	1
943	HAMISI SALIM MBAYA		943	0.1482	1
944	STEPHEN DZUYA MONGO		944	0.1184	2
945	BINTIHAMISI SAIDI NLIZUMA		945	0.1019	2



	.OHAMED MWAKIBOKO	946	0.1019	2
	SSAN MWICHANDE THOMASI	947	0.1024	2
	ABDALLA ALI MOYO	948	0.1024	2
	ALFAN MUCHANDE THOMASI	949	0.0900	2
	RIZIKI MUCHANDE THOMASI	950	0.1148	2
	MARIAM MWINYIFAKI	951	0.1024	2
	ZAITUNI MWINYI MARACHI	952	0.1024	2
	MWANAKUMBU SULEIMAN TSALA	953	0.1426	2
	MEALI ALI KAZI	954	0.1269	2
	SAID ALI KINAJEMI, FATUMA RAMADHAN JUMA	955	0.0926	1
	SAID ALI KINAJEMI, FIKIRINI ALI, BINTIALI RAMADHAN JUMA, FATUMA MOHAMED SULEIMAN	956	0.0926	1
	HAMISI SAID MBIMBI	957	0.0931	1
	HALIMA NIMUTWA RAMADHANI	958	0.0931	1
	MOMO RAMADHAN JUMA	959	0.0931	1
	ALI AMADI MWABORI, MARIAM ABDALLA PENGO	960	0.0931	1
	AMINA SALIM KUMANYA	961	0.0931	1
	FATUMA OMARI MWAKAZI	962	0.0931	1
	MEBAKARI SALIM KUMANYA	963	0.0931	1
	MWINYI MOHAMMED KUMANYA	964	0.0931	1
	AMMI SALIM KUMANYA	965	0.0966	1
	ASHA SALIM KUMANYA	966	0.0721	1
	ALI MWINYI NGWISA	967	0.0933	1
	TATU RASHID MWAVUNO	968	0.0715	1
	HASSAN MBARUKU MWARAMUNO	969	0.1007	1
	MWANANGANO SULEIMAN	970	0.1007	1
	FATUMA KADZO MWAMBEYU	971	0.1007	1
	NASSIB SALIM MKUNDYA	972	0.1007	1
	MOHAMED SAID MWAKIBOKO	973	0.1012	1
	BINIALI BAKARI SIMWATI	974	0.1012	1
	JUMA ALI SIMWATI	975	0.1012	1
	SAID RAMADHAN RASHID	976	0.1012	1
	FAIZ MOHAMED NOOR	977	0.1012	1
	HAMISI ALI SIMWATI	978	0.1012	1
	MASUDI ALI MWACHAPWAKI	979	0.1007	1
	ALI SAID NGARE	980	0.1007	1
	RAHIM ABDALLA MATWAR	981	0.1016	1
	MAGDALENE WANJIKU KIMANI	982	0.1007	1
	YAHYA RAMADHAN MLAULA, OMAR MUSA HASSAN	983	0.1012	1
	HAMAD MWINYIKAI	984	0.1019	1
	HAMISI JUMA CHIKARATA	985	0.1018	1
	IDDI MWADORI GANJE	986	0.1012	1
	ABDALLA SWALEHE KADENGE	987	0.1012	1
	HAMISI SAIDI MWAMTSUMI	988	0.1016	1
	SWALEHE KADENGE	989	0.1015	1
	MOHAMED SWALEHE ABDALLA	990	0.1012	1
	ANDERSON CHIRINGA	991	0.1012	1
	SWALEHE ABDALLAH KADENGE	992	0.1012	1

995	SWALEHE ABDALLAH KADENGE		
996	MWANASITI SAID NTIMAMU		
997	SHIKA SWALEH KADENGE		
998	ABDALLA SAID MWARAMUDZI		
999	MWANASITI SAID NTIMAMU		
1000	SWALEHE MWENGE		
1001	ALI ABDALLA KUTAFUTA		
1002	MWANAJUMA MOHAMED		
1003	ASHA SWALEHE KADENGE, MEALII MEALIMU		
1004	JUMA MOHAMED MWAKIMWAE, SWALEHE MACHESO		
1005	HAMISI JUMA MAKUSANYA		
1006	HAYANI KASSIMU KIHUGU		
1007	MWANAMGENI ALI MWALIMU		
1008	MWANASITI MWACHAKI OMAR		
1009	MWANALIMA OMAR MWACHAKI		
1010	MWANARUSI N. VIFU		
1011	REHEMA JABIR		
1012	ALI BAKARI MWAZAMU MWANAHALIMA HAMADI HAMISI		
1013	CHRISTINE MWERO CHONDO		
1014	MEJUMAA MUSA MWAWARI		
1015	SAUMU SHABAN MLAULA		
1016	MWEJUMA HAMISI MUAENZI		
1017	AMINA SAID EDWARD		
1018	MARGARET KANGOMBE KATANA		
1019	KIMWANA OMARI BEKIMWARO		
1020	AMANI ALI MAKAZI		
1021	ALI MWINYI NGWISA		
1022	ALI RAMA ALINGWISA		
1023	SALIM ALI NGWISA & BIDALA ALI NGWISA & BINTI ALI NGWISA		
1024	MWANAISHA OMAR MWAKUZIMU		
1025	MWANAMLISHO MOHAMED SALIM		
1026	KHADIJA SAID SEBIT		
1027	RASHID SAID MWAKIBOKO		
1028	MARIAM SALIM RANDANI		
1029	MARIAM ATHUMANI AYUB		
1030	FATUMA SAID RANDU		
1031	BAKARI SAID MWAKIBOKO		
1032	MOHAMED SAID MWAKIBOKO		
1033	SAID SALIM RANDUNI		
1034	SAID MOHAMMED MWAKIBOLA		
1035	LATIFA ABDU SWALEH HAMADA		
1036	MWAKA ABDILLAHI KIBWANA		
1037	MOHAMED SAID MOHAMED		
1038	FATUMAMUHAMAD HAMISI		
1039	SALHA ALI AHMAD		
	RAMA SAID MBIMBI		
	ASHA MOHAMED OMAR		

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1021	0.0680	1	
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1023	0.0728	1	
1024	0.0897	1	
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1026	0.1020	1	
1027	0.1016	1	
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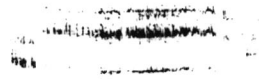
1029	0.1016	1	
1030	0.1016	1	
1031	0.1028	1	
1032	0.1439	1	
1033	0.1016	1	
1034	0.1020	1	
1035	0.1258	1	
1036	0.1020	1	
1037	0.1360	1	
1038	0.1122	1	
1039	0.1016	1	

	A SAID MBIMBI	1040	0.1216	1
	MA SALIM DINGO	1041	0.1120	1
	SAIDA JUMANNE MBWAJUA	1042	0.1020	1
	ANNE ATWANI ICHAN	1043	0.1190	1
44	LEILA MAHFUDH KARAMA	1044	0.1170	1
5	NASORA ATHMAN DIGO	1045	0.1020	1
6	OMAR RASHID MWAKULO	1046	0.1020	1
47	HAMADI HAMISI KASIRANI	1047	0.1020	1
48	OHAMED HAMISI KASIRANI	1048	0.1020	1
49	BIBI MASUDI MAJIBU	1049	0.1020	2
50	SAID HAMADI MWAKUSANYA	1050	0.1020	2
51	MWANAMISI RASHID MWAKUTU	1051	0.1020	2
52	MEBAKARI ALI MWANYUNGO	1052	0.1020	2
53	REHEMA OMAR MWAKUSALA	1053	0.1020	2
54	BIDALA JUMA MWAKAZI	1054	0.1020	2
55	ALI MASOUD MAJIBU	1055	0.1020	2
56	MEALI ADAM HUSSEIN	1056	0.1020	2
	JULIUS OGOGOH	1057	0.1020	2
	SAMYA AHMAD SAID	1058	0.1020	2
59	RASHID JUMA HAGA	1059	0.1020	2
60	JUMA HAMISI HAGA	1060	0.1020	2
61	MIRAJ ABDALLA MWANYEMA	1061	0.1016	2
62	SALIM MOHAMED MWACHANDUGU ABDULRAMAN MOHAMED MWACHANDUGU BAKARI MOHAMED MWACHANDUGU	1062	0.1016	2
63	ABDALLA HAMADI MAKUSANYA	1063	0.1016	2
64	ABDALLA HAMADI MAKUSANYA	1064	0.1016	2
65	MWALIMU RIVA MWAKIHUTU	1065	0.1019	2
66	OMAR ABDALLA MWAKAZI	1066	0.1019	2
67	MARIAM SAID MOHAMED	1067	0.1023	2
68	MOHAMED RIVA MWINYI	1068	0.1023	2
69	SAIDA SAID IDDI1	1069	0.1023	2
70	SALIM MWINYIHAJI SARAI	1070	0.1023	2
71	MVUMBO RASHID MOHAMED, HAMISI RASHID MVUMBO	1071	0.1023	2
	HALFAN OMAR, JUMA SULEIMAN DZILALA, ABDALLA SALIM MWASALIM, HAMISI JUMA BAKARI	1072	0.1023	2
73	MESAID MOHAMED MWACHANDUGU	1073	0.1019	2
74	RIZIKI MOHAMED MWACHANDUGU, SALIM MOHAMED MWACHANDUGU	1074	0.1019	2
75	BAKARI HUSSEIN KOBA	1075	0.0142	2
76	ABDULLAHI OMAR SAID	1076	0.0248	2
77	ANNE MUNIVA MUTISO	1077	0.0014	2
78	JUMA SALIM MWACHOCHO	1078	0.0025	2
79	BAKARI RASHID MWATADU	1079	0.0968	2
80	BAKARI ALI MWENDO	1080	0.1122	2
	JAMIL MBARAK SAID	1081	0.2633	2



082	SAMIR MBARAK SAID		
083	AHMED MBARAK SAID		
084	MOHAMA RASHID KASOTM		
085	MWANASITI OMAR MWENDO		
086	MWANUNDU ABDALLA ALI		
087	SAID ABDALLA MWAKAZI MOHAMED ATHUMANI MWAKUWANIA		
088	SAID ABDALLA MWAKAZI		
089	BAKARI HUSSEIN MWAMTUKU		
090	MBARAK SAID HAMED		
091	NURU MWINYI SALIM		
092	NZIRANI ABDALLAH MWAKUREA		
093	MOHAMED JUMA MAKAKA MOHAMED MOHAMED MWACHOCHO		
1094	MOHAMED JUMA MAKAKA		
1095	MWANALIMA MOHAMED MWACHOCHO		
096	MOHAMED JUMA MAKAKA		
1097	JUMA MOHAMED MWACHOCHO		
1098	MOHAMED JUMA MAKAKA		
1099	ALI SALIM MWALEWA		
1100	MWANAKE BAKI MATETO KADENGE KAZUNGU GOHU		
1101	MOHAMED ABDALLA MWAKAZI		
1102	ABUBAKAR OMAR ABUBAKAR		
1103	HALIMA BAKARI ABDULRAHMAN		
1104	SALIM ALI HAINENI		
1105	SALIM ALI HAINENI, DORCAS WANJIRU NDUNG'U		
1106	GEORGE MAMWAGA WAZALA		
1107	IBRAHIM MBARAK ISLAM		
1108	MOHAMED THUMANI MWAKUWANIA		
1109	HAMISI RASHID GOWANI, JUMA RASHID TUNZA		
1110	BEATRICE MIRIGO KINUTHIA		
1111	MWANAASHA ALI GOSTA		
1112	ALI ALI MWACHAMANGA, MWINYI JUMA MWAKUUZA, SALIM BAKARI MWAMTUKU		
1113	KHAMISI SWALEH ATHUMAN		
1114	OMARI HAMADI MWAZEME & HATIBU OMAR ZITTOH		
1115	ESHA ALI NGINGABWI		
1116	ZAWADI AHAMAD ALI		
1117	HAMISI SHEE MWAZIMENZA		
1118	YAYE MOHAMED BUNU		
1119	MUSTAFA SAID MBIMBI		
1120	HASSAN ATHUMANI		
1121	HADIJA SUDI ANGORE		
1122	RIZIKI AIDARUS HUSSEIN		

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	1083	0.0990	2
	1084	0.0990	2
	1085	0.0990	2
	1086	0.0990	2
	1087	0.0986	2
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	1089	0.1050	2
	1090	0.0995	2
	1091	0.1007	2
	1092	0.1054	2
	1093	0.1054	2
	1094	0.1013	2
	1095	0.1020	2
	1096	0.1132	2
	1097	0.1178	2
	1098	0.1027	2
	1099	0.1029	2
	1100	0.1050	2
	1101	0.0988	2
	1102	0.0929	2
	1103	0.1043	2
	1104	0.1116	2
	1105	0.1054	2
	1106	0.0978	2
	1107	0.1235	2
	1108	0.1471	2
	1109	0.0969	2
	1110	0.1123	2
	1111	0.1056	2
	1112	0.1056	2
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	1115	0.1056	2
	1116	0.1056	2
	1117	0.0985	2
	1118	0.0985	2
	1119	0.0689	2
	1120	0.0689	2
	1121	0.1023	2
	1122	0.1023	2

	...ALEB, IMARUTWA	1125	0.1023	2
	...UMA ABDALLA GHIDERE	1126	0.1023	2
	...ALEN VUTUNU MBELENZU, DUNKAN	1127	0.1023	2
	...TURERE MBUTU	1128	0.1023	2
	PURITY KATHONI MAWEU	1129	0.1023	2
	ROMANA BELIC	1130	0.1023	2
	NICHOLAS MAKWAE MATAGARO,	1131	0.0858	2
	ISAAC MBURU MBUGUA	1132	0.0858	2
	ROSE M. MUTUKU	1133	0.1217	2
	MARIUM UMAZI	1134	0.1191	2
	JOHNNY MWENDWA MUSYOKA, AUSTIN KIBISO MMATIA	1135	0.1191	2
	DENNIS MAKAU KAVULUNZE, ELIZABETH M. NGAYA	1136	0.1197	2
	WECHULI OKUMU, KEN NZENGE	1137	0.1197	2
	ABDALLA HAMADI MAKUSANYA	1138	0.1197	2
	MWANAMISI MOHAMED MWAMTUKU UBA ABDALLAH MKANGALA	1139	0.1197	2
	ABDALLA HAMADI MAKUSANYA	1140	0.1192	2
	ABDALLA HAMADI MAKUSANYA	1141	0.1192	2
	MEJUMAA HUSEIN BAKARI MWANAISHA ALI HUSSEIN	1142	0.0986	2
	ROBERT METER	1143	0.0980	2
	MOHAMED SALIM MWADZIMIRA, MWANAMISI ABUU CHEMBEA	1144	0.0990	2
	HAMISI HUSSEIN MWAMTUKU REHEMA TABU JUMA KARISA	1145	0.0990	2
	VINCENT DINDI OTIPI, BENSON LETISH ISAAC	1146	0.0990	2
	SAUMU NIMUGAI MOHAMED, MOHAMED SALIM MWAKANENO	1147	0.0990	2
	MEJUMAA HAMIDI MWANGANASA	1148	0.0990	2
	JAMES MACHARIA KAMAU, ANDRE KAMAU	1149	0.0990	2
	PAUL NJOROGE NDUNGU, ISAAC MOITALEL SHUNET	1150	0.0986	2
	MAJANI HAMISI ASINI	1151	0.0986	2
	SAID MOHAMED	1152	0.9552	2
	ALI HAMISI BINDO	1153	0.1292	2
	TOLI ALI	1154	0.1010	2
	MAURICE EKIRAPA	1155	0.0957	2
	MICHAEL MWAURA MWANGI, NENTAYA FAITH KOKONYA	1156	0.0957	2
	ESBON MWANGI MWANYEKI, TYSON WANJOHI NGUNJIRI	1157	0.0972	2
	SARAH NDUTA MWANIKI & LILIAN AKINYI ODOLLO			
	PATRICK MUKINGI MMBANO, AUGUSTINE NOAH OODO			
	ABDI ADAN SORA			
	ABDALLA HAMADI MAKUSANYA			

158	ABDALLA HAMADI MWAKUMANYA	1158	0.1006	1
159	ABDULAHI OMAR SAID	1159	0.0957	1
160	ZUBEDA KHAMISI JUMA	1160	0.0955	1
161	MWANAHAMISI SULEIMAN	1161	0.0933	1
162	SALIM HAMSI MWAJINGA	1162	0.0953	1
163	MASJID IL WALIDAYN	1163	0.1012	1
164	JUMA DZOMBO MNDALU	1164	0.1013	1
165	HEMED MOHAMED MWAKURIRA	1165	0.0956	1
166	MOHAMED HEMED KURIRA	1166	0.0957	1
167	FATUMA SALIM MWAJINGA	1167	0.1015	1
168	FATUMA MBASHIRI MAKAZI BIDALA BASHIR MWAKAZI ASHA ALI HUSSEIN	1168	0.1015	1
169	MWANARUSI HEMEDI NDARASHI	1169	0.0957	1
170	FATUMA MOHAMED KURIRA	1170	0.1011	1
171	ALI HAMADI GUYA	1171	0.0952	1
172	HAMISI ALI MWAFISI MARIAM JUMA MWAKUZOWEYA	1172	0.1106	1
173	MWANGOME HAMISI MWANAMAKA & KENYA ADAM MAHADAZI & FLORENCE NYAMBURA MAINA	1173	0.1228	1
174	ALI HAMISI MAMBURUI	1174	0.1385	1
175	OMAR HAMISI MWAKASHINGWA	1175	0.1106	1
176	OMAR HAMISI	1176	0.1271	1
177	HAJI OMAR MWAKASHINGWA	1177	0.0955	1
178	ALI HAMISI MAMBURUI	1178	0.1046	1
179	BINTI MOHAMED MWAKUFUNGISHA	1179	0.1391	1
180	ALI HAMISI MAMBURUI	1180	0.0904	1
181	TABIA MOHAMED ALI	1181	0.1145	1
182	HAMADI SWALEH MWAMLANYA	1182	0.0933	1
183	HAMISI SWALEHE	1183	0.0917	1
184	SULEIMAN SWALEH KUMENZANA	1184	0.0910	1
185	MESWALEH SWALEH KUMENZANA	1185	0.0918	1
186	MESELEMANI MOHAMED SWALEH	1186	0.0943	1
187	MUSA SULEIMAN ZIRO	1187	0.0943	1
188	NASSORO ALI MOTILA	1188	0.0943	1
189	FATUMA NASSORO	1189	0.0943	1
190	ALI ATHUMAN MUTILA	1190	0.0905	1
191	ATHUMANI ALI MUTILA	1191	0.0905	1
192	HUSSEIN MOHAMED ALI	1192	0.0905	1
193	PATIENCE PAHE	1193	0.0905	1
194	OMARI ABDALLA MWAZAMU & SWALEH ABDALLA MWAZAMU	1194	0.0905	1
195	MARIYAM ABDALLA SWALEHE & BINTIABDALLA SWALEHE MWAZAMU	1195	0.0905	1
196	ASHA ABDALLA MWAZAMU & MWANATUMU ABDALLA MWAZAMU	1196	0.0946	1
197	FATUMA RASHID MARURU	1197	0.0946	1
198	FATUMA ALI MWACHIHUGU	1199	0.1007	1

ABAAZI ALII HASSANI	1199	0.1007	1
MWANAMISI JUMA MWAKUSANYA	1200	0.1012	1
BAKARI SALIM MWAMTUKA	1201	0.1012	1
SWALEHE OMAR MWACHAKI	1202	0.1012	1
ATUMA MASOUD MWAKIBOKO	1203	0.1012	1
MOHAMED MASOUD MWAKIBOKO	1204	0.1012	1
ALI JUMA GASEMBI	1205	0.1012	1
RASHID HASSAN MWARAMUNO	1206	0.1012	1
MEALI ABDALLA	1207	0.1012	1
HABIBA ALI	1208	0.1012	1
MBARUK ALI MWAPHUNGU MBINTI MOHAMED MBARUK	1209	0.1012	1
	1210	0.1007	1
AMINA ALI ABDALLA	1211	0.1007	1
HAMADI JUMA MWASHARIFU	1212	0.1007	1
SAID WARID YAHYA	1213	0.1007	1
MWINYI MBARUK	1214	0.1012	1
MOHAMMED MBARAK MWARAMUNO	1215	0.1012	1
MOHAMMED MBARAK MWARAMUNO	1216	0.1012	1
RASHID HASSAN MWARAMUNO & BINTI MUHAMADI MBARUKU	1217	0.1012	1
CATHERINE MURUGI	1218	0.1012	1
DOMINIC MNGANGAT	1219	0.1012	1
MATUNDA KASSIM ZINGA	1220	0.1012	1
AMINA KASSIM ZINGA	1221	0.1012	1
ALI MLALA NALO	1222	0.1012	1
MWANAMISI SAID	1223	0.1012	1
MWANAMKUU SALIM ZINGA	1224	0.1007	1
FATUMA ALI BAKARI	1225	0.1007	1
FATUMA IDD MWANAUNWA	1226	0.1163	1
FATUMA SALIM ZINGA	1227	0.1163	1
HASSAN SALIM ZINGA	1228	0.1167	1
RIZIKI HASSAN ZANI	1229	0.1167	1
SOFIA MZEE JAILA	1230	0.1167	1
KOSHI SAID GAOH	1231	0.1167	1
ALI SAID MWACHAMANGA	1232	0.1700	1
TATU ATHMAN OMAR	1233	0.0924	1
ABDALLA ABDULRABI KHALIL	1234	0.0889	1
RAJAB SAID MWAKAZI	1235	0.0889	1
ALI BAKARI TOYA	1236	0.0950	1
MWANASADA ALI THOYA, AISHA MWALIMU BILALI	1237	0.0950	1
MARIAM ALI THOYA, MISHI SHEE SAIDI	1238	0.1018	1
ABDULRAHMAN SAIDI DETELA	1239	0.0973	1
ADILI MWAGANIKO NJAMA & MWINYI ABDULRAHMAN SAIDI DETELA	1240	0.0991	1

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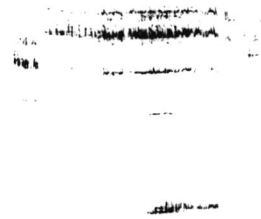
1242	SAID HAMISI MWAPEPHO	1242	0.1089	1
1243	MWANAIDI SAID MWAKAZI	1243	0.1350	1
1244	MWANASHA HAMISI KIWAKA	1244	0.1267	1
1245	ASHA ALI THOYA	1245	0.1267	1
1246	ALI JUMA MBWANA	1246	0.1267	1
1247	RAJAB ALI MUMENZANA	1247	0.1267	1
1248	MNGUMI BAKARI MAALIM	1248	0.1267	1
1249	MNGUMI BAKARI MAALIM	1249	0.1267	1
1250	MOHAMED HAMISI MWAKAZI	1250	0.1267	1
1251	MNGUMI BAKARI MAALIM	1251	0.1263	1
1252	EVANS POGHISO NGIRO	1252	0.1263	1
1253	OMAR ALI MAGADI	1253	0.1263	1
1254	NURU HAMADI KUMENZANA, NURU HAMADI MAGADI	1254	0.1263	1
1255	SAKINA KHAMISI SAID HAMADI OMAR MAGADI	1255	0.1267	1
1256	HADIJA HAMADI ALI	1256	0.1267	1
1257	FATUMA SALIM ZINGA	1257	0.1267	1
1258	HADIA HAMADI ALI	1258	0.1267	1
1259	MUSSA OMARI MOHAMMED	1259	0.1267	1
1260	SALIM KASSIM ZINGA	1260	0.1267	1
1261	KASSIM SALIM ZINGA	1261	0.1022	1
1262	MUSSA OMARI MOHAMMED, SALIM MUSA OMAR	1262	0.1022	1
1263	AISA AISHA IBRAHIM	1263	0.1022	1
1264	KASSIM SALIM ZINGA	1264	0.1022	1
1265	MEMBONI ABDALLA KINYEZI	1265	0.1022	1
1266	HASSAN MAMISI MWAZUKA	1266	0.1022	1
1267	FATUMA HAMISI HASSAN	1267	0.1063	1
1268	ALI KASSIM KIHUGU	1268	0.1063	1
1269	MASUDI JUMA MAKUSANYA	1269	0.1349	1
1270	HASSAN HAMISI MWAZUKA	1270	0.1349	1
1271	SWALEH OMAR MWACHAKI, ALI KASIM ZINGA, FATUMA HAMIRI HASSAN	1271	0.1308	1
1272	KASSIM SWALEHE KAHIRI	1272	0.1022	1
1273	MAJALIWA KHAMISI KAHIRI	1273	0.1022	1
1274	MWANAIKI KHAMISI KAHIRI	1274	0.1017	1
1275	MWANASITI KHAMISI KAHIRI	1275	0.1017	1
1276	ALI ABDALLA MGOSHI	1276	0.1007	1
1277	MWALIMU ALI MAGADI	1277	0.1007	1
1278	MOHAMED ALI MGOSHI	1278	0.1012	1
1279	MWANALIMA ABDALLA MWANGAO	1279	0.1012	1
1280	MEJUMAA ABDALLA MWANGAO	1280	0.1012	1
1281	WILFRED SINGOMBE RAGIRA	1281	0.1012	1
1282	MWANAJUMA MOHAMED PHANGA	1282	0.1012	1
1283	ASHA SALIM MWAGADIMU & HADIJA MOHAMED & ATHMAN SALIM MWAGADIMU	1283	0.1012	1

	ALIMU SALIM MOHAMED & FUMA ALIM MWAGADDU, ABD - ILLA SALIM MWAGADDU	1284	0.1012	1
5	JUMA MOHAMED HAMISI	1285	0.1012	1
6	OMAR HAMADI MAGADI	1286	0.1012	1
7	OMARI ALI MAGANDU	1287	0.1012	1
288	MWIDADI MOHAMED MWAKIMULI, JUMA MOHAMED HAMISI	1288	0.1012	1
289	MESAID MWAMADI MWAKUMAE	1289	0.1012	1
290	MWANAJUMA OMAR MADADI	1290	0.0950	1
291	SAKINA HAMISI SAID & OMAR HAMADI MAGADI	1291	0.0950	1
292	JUMA KALI MAGADI	1292	0.0950	1
293	BINTIALI OMAR MAGADI	1293	0.0950	1
294	JUMA KALI MAGADI	1294	0.0946	1
295	RUTH WAITHIRA NJOROGE	1295	0.0946	1
	SAIDI BWANAKALI JUMA MAGADI	1296	0.0946	1
	JUMA KALI MAGADI	1297	0.0946	1
98	HAMADI MWAMLAVIA MWINYIKAI	1298	0.0950	1
99	SAID MWANAKALI	1299	0.0950	1
00	MISHI ALI MWAZAMU	1300	0.0946	1
01	SWALEHE ALI MWAZAMU	1301	0.0946	1
02	SAID HAMISI MWAKAZI	1302	0.1311	1
03	JUMA MBWANA MWAMTSERE	1303	0.1252	1
04	HAMISI BAKARI TOYA	1304	0.1258	1
05	SAID HAMISI MWAKAZI	1305	0.1417	1
06	SIKUKUU ALI MWAFISI	1306	0.0859	1
07	BAKARI BAKARI TOYA	1307	0.0632	1
08	SALIM ALI MWAFISI	1308	0.0990	1
09	MEJUMA ALI MWAFISI	1309	0.0990	1
10	MWANAMUSA HAMISI KAZI	1310	0.0990	1
11	MWANAMKUU SALIM MAHABA	1311	0.0990	1
12	ABDALLA HAMISI MWAVYONI, ABDALLA KOMBO ABDALLA, HAMISI ABDALLA MWAVYONI	1312	0.1118	1
	MWANAMISI KASSIM MWASHEHE, ALI MAINGU, MWANASHA HAMISI SHEHE	1313	0.0854	1
14	BAKARI OMARI MWAJENJEWA	1314	0.1060	1
15	HADIJA ABA BWANAHERI	1315	0.1064	1
16	OMAR MWINYI MLAULA	1316	0.1060	1
17	MWANATIBU SALIM MWANDUNI	1317	0.0994	1
18	MERCY KOMBE YERI	1318	0.0994	1
19	ANNE NDUGE NTHUSI	1319	0.1022	1
20	ALI HAMISI NGARE	1320	0.1021	1
21	JABU SALIM MOHAMED	1321	0.0994	1
22	SWALEHE SAID MCHAFUO	1322	0.0994	1
23	ABDIRARASHID ABDALLA ABDI	1323	0.1337	1
24	MAIMUNA ABDILAI ABDI	1324	0.1337	1
25	KALAMU ALI MWACHITUMBO	1325	0.1379	1
26	JUMA M. MWENJIRANI	1326	0.1376	1
27	BINTI RASHID MVUMBO	1327	0.1337	1



1328	JUMA RASHID MWUMBO	[illegible]	[illegible]	[illegible]
1329	HALIMA MWACHOMBO PULA	[illegible]	[illegible]	[illegible]
1330	KIPENDO ALI MWARAMIA	[illegible]	[illegible]	1
1331	CHARITY NJOKI WAIGWA	[illegible]	0.1056	1
1332	LOYFORD KINYUA NYAMU	[illegible]	0.1063	1
1333	OMAR ABDALLA ALAWI	[illegible]	0.1064	1
1334	SIDI MAYE	1334	0.1064	1
1335	MWANAHAMISI MOHAMED NYAMA MWIRINI	1335	0.1063	1
1336	HADIJA SALIM OMAR	1336	0.1063	1
1337	ABDULRAHMAN SHARIFF	1337	0.1064	1
1338	HERI MOHAMED HAJI	1338	0.1059	1
1339	ABDALLA MWASIRI JUMA	1339	0.1059	1
1340	KWEKWE MVURYA MWINGO	1340	0.1077	1
1341	MWANASHA TSUMA	1341	0.1077	1
1342	NIHAWA SAID NGARE	1342	0.1081	1
1343	ASIA JUMA BASHO	1343	0.1081	1
1344	MWANAMISI OMAR MALOLE	1344	0.1077	1
1345	MWANASITI OMAR KOMBOZA & MEALII ALI KIZURI (MINOR)	1345	0.1077	1
1346	KURUSUMU MOHAMED MWIRINI	1346	0.1077	1
1347	ABDALLA OMAR MLAULA	1347	0.1077	1
1348	NASMA MOHAMED RAMTULLA	1348	0.1081	1
1349	FATUMA SULEIMAN MWANACHUONI	1349	0.1081	1
1350	ABDALLA SAIDI KATUMU	1350	0.1077	1
1351	NURU MWINYIKOMBO MWAVUCHE	1351	0.1082	1
1352	SAIDI SULEIMAN JENJEWA	1352	0.1041	2
1353	KULTHUM MWINYI KULONDA	1353	0.0990	2
1354	ISSA SELEMAN JENJEWA	1354	0.1588	2
1355	MASIKA SULEIMAN JENJEWA	1355	0.0986	2
1356	BIABU SULEIMAN JENJEWA	1356	0.0990	2
1357	EBRAHIM SHABAN EBRAHIM	1357	0.1037	2
1358	FATUMA JUMAA MWAGOTI, FATUMA MOHAMED SULEIMAN	1358	0.1208	2
1359	HAJI ALI NGARE	1359	0.1085	2
1360	MWANAMGENI ALII RASHID	1360	0.1505	2
1361	FATUMA OMARI NASSOR	1361	0.1151	2
1362	HAMISI JUMA KOBA	1362	0.1320	2
1363	OMAR JUMA MWAKOBA	1363	0.1320	2
1364	IDDIE RASHID MWADUNGUDU	1364	0.1000	2
1365	TAA MKALA KATEMBO	1365	0.1000	2
1366	HALIMA OMAR MWALOLE	1366	0.1252	2
1367	MSIMU BAKARI MWAMTUKO	1367	0.1079	2
1368	MGENI HAJI ALI & SAID BWANA KALI JUMA MAGADI	1368	0.0989	2
1369	SUBIRA MWINYI MWASABURI	1369	0.1232	2
1370	MARIAM ABDALLA MWAGADI, MWATINE BAKARI MWAGADI, ASHA ABDALLA MWAGADI	1370	0.1251	2
1371	MBARUKU SULEIMAN CHAPWANA	1371	0.0954	2

	[illegible]	[illegible]	[illegible]	[illegible]
	[illegible]	[illegible]	[illegible]	[illegible]
	[illegible]	[illegible]	[illegible]	[illegible]

1410	MWANAISHA MOHAMED ALFAN & ALFAN MWAMBOGA MOHAMED
1412	FATUMA NINGARE MOHAMED ALFAN & ASHA KELE MOHAMED & FATUMA MOHAMED ALFAN
1413	MOHAMED HAMAD BEJANI & MWANAJUMA HAMAD KUMENZANA & ALI HAMADI KUMENZANA & OMAR ALFANI ATHUMANI & MESWALEH HAMADI
1414	RASHID JUMA MWAMBALE
1415	MWANASHA JUMA MAJAMBALE
1416	BADI ALI OMARI
1417	ALI ALI ZOZU
1418	ABDALLA RASHID CHACHE
1419	MOMO RASHID TUJI
1420	HAMISI ABRAHAMANI LIBUWA
1421	MOHAMED ABRAHAMANI TUJI
1422	MWINYIMSA FAMILY
1423	MWINIMSA FAMILY
1424	AMINA ABRAHAMANI TAJI
1425	SHEE HAMISI KISOMBO
1426	OMAR ABDALLA MWAGADI
1427	ABDALLA SALIM MWASALIMU, HAMADI SULEIMAN RAMMO, THABITI ABDALLA MWAHMENGA
1428	SITA SALIM MWACHAMBULI, MOHAMED MWALIMU MAGADI
1429	MESALIM ALI SULEIMAN, REHEMA MWINYI VUCHE, JUMA MWINYI VUCHE, ABDALLA MWINYI VUCHE
1430	MWINYIMSA FAMILY
1431	ALI ABDALLA MWALIBUNO & MESELEMANI ALI
1432	NASSORO ALI & MESELEMANI ALI & MEJUMAA ALI
1433	ABDALLA ALI MAYUNGU, JUMA MWINYIKOMBO
1434	SULEIMAN MOHAMED CHIGUYASO , SAID SALIM MWALOLE
1435	HALIMA HAMISI LIBUA
1436	MWANAMISI HAMADI ALI
1437	BINTIALI NASSOR MWAGOFWA & SAUMU NASSORO MASHA
1438	BAKARI NASSORO
1439	SAUMU NASSORO MASHA

1410	0.0992	2
1412	0.0992	2
1413	0.0992	2
1414	0.0992	2
1415	0.0992	2
1416	0.1114	2
1417	0.0975	2
1418	0.1825	3
1419	0.1039	3
1420	0.0975	3
1421	0.0971	3
1422	0.1343	3
1423	0.1024	3
1424	0.1024	3
1425	0.1228	3
1426	0.1002	3
1427	0.0992	3
1428	0.0992	3
1429	0.0992	3
1430	0.11206	3
1431	0.1616	3
1432	0.0992	3
1433	0.0992	3
1434	0.0992	3
1435	0.1142	3
1436	0.1001	3
1437	0.0967	3
1438	0.0971	3
1439	0.1005	3

	BAKARI HAMISI LIBUNGA & MWARAME HASSANI NYERE & ABDALLA HAMISI MWATUJI			
442	FATUMA NASSORO MASHA	1442	0.1090	3
443	BIBI RASHID KEYA	1443	0.1039	3
444	GEORGINA NYAWIRA MBUGUA	1444	0.0927	3
445	MOHAMED MWALIMU MWARAMUNO	1445	0.1149	3
446	AHMED NOOR MUSTAFA & ZAMZAM NASSIR	1446	0.1264	3
447	INKALATO MOHAMED MWALIBUA	1447	0.1046	3
448	JOYCE NYAGUTHII GATHOGO	1448	0.1046	3
449	ISMAEL ABDALLA GONDOWEZOH	1449	0.1178	3
450	ELIZABETH BOSI BORI	1450	0.0886	3
451	MWACHE JUMA SALIM & KASSIM JUMA SALIM & MAKU JUMA SALIM	1451	0.0667	3
452	MASOUD NASSOR MAJIBU	1452	0.1127	3
453	HAMAD MASOUD MAJIRBU	1453	0.0951	3
454	ABDALLA RASHID BAKULI ABDALLA A. MWADONDO & MWANASHA ABDALLA & BINTI ABDALLA	1454	0.0871	3
455	ABDALA RASHID BAKARI	1455	0.0722	3
456	MOHAMED IBRAHIM MWAMUNEMBO & MWARABU SALIM MWAMWARI	1456	0.1302	2
457	ABDALLA HAMADI MAKUSANYA	1457	0.1027	2
458	NASSORO NAJO	1458	0.1180	2
459	MGNUMI SWALEHE MWANGO & ATHUMAN JUMA MWACHAMA	1459	0.1309	2
460	MWANAKWELI OMARI MWAKAZI	1460	0.0894	2
461	IDDI OMARI MWAKAZI	1461	0.0943	2
462	STANLEY WACHIRA KARANI	1462	0.1355	2
463	MOHAMED SALIM TWAHIE	1463	0.1371	2
464	HASSAN BAKARI MWAGADI	1464	0.1464	1
465	MOHAMED BAKARI CHILUPHI	1465	0.1020	1
466	SULEIMAN MOHAMED MWINYIHAJI	1466	0.1465	1
467	MWAMBAAZI ALII HASSAN	1467	0.0502	1
468	TIMA MASUDI VUNGA	1468	0.1466	1
469	KEAH ABDALLA MWAKAZI	1469	0.1110	1
470	SAUMU ABDALLA MWAKAZI	1470	0.1467	1
471	SHABAN SALIM KINUNGU	1471	0.0995	1
472	FATUMA NASSORO KOBA	1472	0.0685	1
473	HAMISI BAKARI TOYA	1473	0.0980	1
474	MBWANA JUMA MWAMTSERE	1474	0.0450	1
475	SHEE ALI KUMENZA	1475	0.1057	1
476	MWANAJUMA MWACHEGA MWAMKUNA	1476	0.0553	1

1477	MAIALIWA SULEIMAN MWANYEUDE		[illegible]	[illegible]	[illegible]
1478	OMAR KALI MAGADI		[illegible]	[illegible]	[illegible]
1479	HAMADI KALI MAGADI		[illegible]	[illegible]	[illegible]
1480	OMAR KALI MAGADI		[illegible]	0.1079	[illegible]
1481	HAMADI KALI MAGADI		[illegible]	0.0946	[illegible]
1482	MWINYI KOMBO KIMWINYI		1482	0.0946	[illegible]
1483	SAIDI KALI		1483	0.0946	[illegible]
1484	ATHMANI HAMAD MASAI & SAIDI ATHMAN MASAI		1484	0.0950	1
1485	MWANAMINA AMANI MATETU		1485	0.0950	1
1486	SAID MUSA OMAR		1486	0.0950	1
1487	HALIMA HASSAN NDJOKA		1487	0.0950	1
1488	MWIDADI MOHAMED MWARIMAYE		1488	0.1012	3
1489	MATUNDA ATHUMANI MASSAI & MWANAMINA ATHUMANI MASAI & MIRIAM ATHMAN MASAI		1489	0.1012	3
1490	AMINA ATHUMAN MASAI, TUNU ATHUMAN MASAI		1490	0.1012	3
1491	BINTI OMARI ATHUMANI MASAI & MWANAJUMA ATHUMANI MASAI		1491	0.1012	3
1492	SAID JUMA MWAGONGOLO		1492	0.1012	3
1493	MWANAMISI BAKARI MWAKUYEYA		1493	0.1012	3
1494	MWANAMISI BAKARI ZOLOLO		1494	0.1012	3
1495	ESTHER WANJIRA KARIUKI		1495	0.1012	3
1496	ALI SUKMA ALI		1496	0.1012	3
1497	ASSISTANT CHIEF SHIKA ADABU		1497	0.1012	3
1498	MARIUM ABDALLA LIBUA		1498	0.1012	3
1499	JUMA MOHAMED CHOCHO		1499	0.1012	3
1500	HALIMA SAID MWAYAMBA		1500	0.1007	3
1501	MWANAJUMA SAID MWAYAMBA		1501	0.1007	3
1502	JUMA HAMADI KUMESANA, ABDALLA HAMADI KUMEZANA		1502	0.1292	3
1503	MOHAMED BAKARI MWAKUYEYA		1503	0.1191	3
1504	NASSORO BAKARI MWAKUYEYA		1504	0.1528	3
1505	JUMA BAKARI MWAKUYEYA		1505	0.1408	3
1506			1506	0.3833	3
1507	MWANAMKASI OMAR		1507	0.2018	3
1508	ALII JUMA GONDA		1508	0.0795	3
1509	JUMA SWALEH MWAMAKA, SWALEH ABDUL-RAHMAN MWAMAKA, BAKARI SALIM MWAMTUKU, MOHAMED HUSSEIN MWAMTUKU & SALIM MOHAMED MWACHANDUGU		1509	0.5286	3
1510	BAKARI ABDALLA TONGOO		1510	0.1654	4
1511	MOHAMED SALIM MWANDONI		1511	0.0594	4
1512	NASSORO ALI NGWISA & SALIM ALI NGWISA		1512	0.1082	4
1513	MWAISHA OMAR		1513	0.1338	4
1514	ABSEBT			0.6342	4
1515	MESWALEH ABDALLA		1515	0.2187	4

	HIRI HAMISI MWAKAZI	[illegible]	[illegible]	4
	HAMISI SAID MWAKASHINGWA	[illegible]	[illegible]	4
	JUMA ALI MWAJANI & ABDALLA BAKARI MWAKAZI	[illegible]	[illegible]	4
519	REHEMA MWACHISIGO ABDALA & SWALEH BAKARI SWALEH	1519	0.2566	4
20	HAMISI ALI MWAFISI		0.0220	4
521	KENYA ADAM MAHANDAZI, SIKUKUU ALI MWAFISI, MWANALIMA HAMISI BANDA	1521	0.1822	4
522	ABSENT	1522	0.4310	4
523	HAMISI ALI MWAFISI & SIKUKUU ALI MWAFISI	1523	0.2520	4
524	ALI MOHAMMED MKUNGOMA	1524	0.2708	4
525	RIZIKI ABDULRAHMAN	1525	0.0918	4
526	FATUMA HAMISI MWAKAZI	1526	0.1424	4
527	GEORGE WAGETHA & CATHERINE WANJIRU NDWIGA	1527	0.0842	4
28	FATUMA KASSIM YUSUF & KHADIJA SAID ATHMAN	1528	0.0202	4
529	ABSEBT	1529	0.0212	4
530	SALIM SWALEH MWAKUTO	1530	0.0379	4
531	MEALI RAMADHAN, JUMAA MOHAMMED	1531	0.0317	4
532	BAKARI ALFANI MWACHOMBO	1532	0.0179	4
533	SALIM SAID SIMBA	1533	0.0279	4
534	ABSEBT	1534	0.0364	4
535	ABSEBT	1535	0.0370	4
536	ALI RASHID KIGARIMBWE	1536	0.0319	4
537	MOHAMED ABDALLA KITENJE	1537	0.0523	4
538	FATUMA ATHMANI MOHAMED	1538	0.0484	4
539	SULEIMAN MOHAMED ABDALLA	1539	0.0451	4
540	HAMADI ALI MAGADI	1540	0.0761	4
541	BIDALA SAIDI MAVYA	1541	0.6236	4
542	ABSEBT	1542	0.0718	4
[illegible]	ABSEBT	1543	0.0748	4
544	MWINYI HAMISI MWAMGUZA	1544	0.0404	4
45	ABSEBT	1545	0.5871	4
46	ABDALLA MOHAMMED ABDALLAH	1546	0.0268	4
547	ABSEBT	1547	0.0323	4
548	MWANAISHA SUMA GUGU	1548	0.0224	4
549	ABSEBT	1549	0.0341	4
550	ABSEBT	1550	0.0122	4
551	ABSEBT	1551	0.0259	4
552	SAMUEL ODHIAMBO OMOLLO	1552	0.1188	4
553	LINET MBUVI	1553	0.0391	4
554	FATUMA SALIMU ZINGA	1554	0.1291	4
555	IDD IBRAHIM NYAWA	1555	0.0664	4
556	JUMA MODE	1556	0.0559	4
557	ABSEBT	1557	0.0543	4
558	KASSIM SALIM ZINGA	1558	0.4963	4
559	ABSEBT	1559	0.0644	4

1560	MWANAHIJA SULEIMAN DZEMBEYA	1560	0.0135	4
1561	HAMISI HAMISI BONGO	1561	0.0111	4
1562	RIZIKI OMARI	1562	0.0212	4
1563	BINTI MOHAMED MEWANA	1563	0.0156	4
1564	SOPHIA ALI	1564	0.0246	4
1565	ABSEBT	1565	0.0624	4
1566	MOHAMED ALI MWAGANYUMA	1566	1.2159	4
1567	JOHN WAMBURA	1567	0.0805	4
1568	FATUMA ALI MAGADI	1568	0.0102	4
1569	ABSEBT	1569	0.0387	4
1570	FATUMA ALI MAGADI	1570	0.0250	4
1571	MWANAKOMBO	1571	0.0459	4
1572	AMINA OMAR KULEMWA	1572	0.0385	4
1573	ABSEBT	1573	0.0244	4
1574	FATUME ALI BAKARI	1574	0.0286	4
1575	MWANALIMA HAMISI CHAKI	1575	0.0316	4
1576	ABSEBT	1576	0.0272	4
1577	ABSEBT	1577	0.0230	4
1578	FATUMA OMARI MWAKAZI	1578	0.01747	4
1579	SULEIMAN AWADH	1579	0.0385	4
1580	ZAINAB ABDALLA YUWA	1580	0.0480	4
1581	ABSEBT	1581	0.0494	4
1582	FATUMA N. LUGWE DZISHANGA	1582	0.0154	4
1583	FATUMA OMARI MWAKAZI	1583	0.0100	4
1584	MOHAMED SALIM KUMANYA	1584	0.0569	4
1585	EUNICE NAMALWA MAKHANU	1585	0.0481	4
1586	ABSEBT	1586	0.2567	4
1587	JUMA HAMADI KUMENZANA, MEJUMAA HAMADI ALI, MWANAMKASI HAMADI KUMENZANA, ABDALLA HAMADI KUMENZANA	1587	0.2628	4
1588	FATUMA KADZO HAROLD	1588	0.0221	4
1589	FATUMA OMARI MWAKASI	1589	0.0564	4
1590	ABDALLA ALFANI	1590	0.0291	4
1591	MBUI MRABU NDILO	1591	0.0218	4
1592	ALICE OSAKA SALIM	1592	0.0243	4
1593	HAMISI SAIDI SIMBA	1593	0.0325	4
1594	SULEIMAN BASHEE MWAJIWA	1594	0.0494	4
1595	ABSENT	1595	0.0522	4
1596	ABDALLA MOHAMED RAFINI	1596	0.5865	4
1597	FRANCIS KIMORI NYAMBU	1597	0.0301	4
1598	BINTIHAMISI SULEIMAN MWARONGA	1598	0.0399	4
1599	HAMADI ATHMANI MWAGONGOLO	1599	0.2416	4
1600	JUMA KALI MAGADI	1600	0.0411	4
1601	ABSENT	1601	0.0468	4
1602	HAMADI OMARI MWANGUWA	1602	0.0292	4
1603	ABSENT	1603	0.0191	4
1604	SALIM RANDUNI	1604	0.0321	4
1605	KIBWANA YAYA ALI	1605	0.0394	4
1606	ZUHURA CHEMBEA	1606	0.0365	4

1614	MWANAJDI MBARUK MOHAMED
1615	SALIM MBAARUK MWAGONGOLO
1616	FATUMA MBAARUK
1617	MWANASHA MOHAMED MADUNDO
1618	MWANAMISI MOHAMED MADUNDO
1619	FATUMA SALIM
1620	ABSENT
1621	SAUMU NDAMA MOHAMED
1622	MWANAMWALI ATHMAN KHAMISI
1623	MESADI RAMA MWADZOKA
1624	ABSENT
25	ABSENT
26	YUSUF RAJAB
627	ABSENT
628	ABSENT
629	BAHASSAN AHMADI ABDURAHMAN
630	SWALEH MFAKI DENDE
631	SULEIMAN MOHAMED KOGO
632	ABSENT
633	JAHI SAID BWANAMAI
634	SWALEHE MWAPOFU
635	MAMBOJI ATHMAN HAMISI & MOHAMED BAKARI MWAMBIMBI
636	MWINYIHAMISI MWAPOROJO
637	MWANAHAWA MWINYI MKUBWA ALI
638	MWIDADI OMARI DAWA
639	HAMADI MWAMCHERA
640	JUMAA ALI MAGADI
641	MOHAMED ALI, RASHID ALI MUHAYA, SAID MOHAMED MWADZAWAR
642	AJABU BAKARI KUOLA
643	MZEE SHAFI MOHAMED
644	HAMISI MOHAMED JUMA
645	ABSENT
646	MWANAMINA HAMISI JUMA
647	ABSENT
648	SHAMIL JUMA MAGADI
649	ABSENT
650	JUMA MKALE MDOE
651	ABSENT
652	MWANAMKUU HAMADI MWAKONGOLO
653	JUMA OMARI JUMAA
654	MWALIMU MOHAMED ATHUMANI

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	1615	0.0628	4
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	1617	0.0300	4
	1618	0.0269	4
	1619	0.0237	4
	1620	0.0394	4
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	1639	0.0234	4
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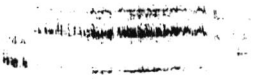
	1650	0.0422	4
	1651	0.0327	4
	1652	0.0526	4
	1653	0.0415	4
	1654	0.0299	4

659	ABSENT			
660	HAMADI KUMENZAMA	1660	0.1498	4
661	MWANASHA ALI GOTSA	1661	0.1306	4
662	ABSENT			
663	ABSENT			
664	ABSENT			
665	ABSENT			
666	ABSENT			
667	ABSENT			
668	ABSENT			
669	ABSENT			
1670	MAIKA MOHAMED MWANZURI	1670	0.0421	4
1671	FATUME JUMA NJAMA	1671	0.0186	4
1672	SULEIMAN MOHAMED KIMWAYA	1672	0.0711	4
1673	OMARI ALI MAGADI	1673	0.1921	4
1674	ZUHURA BAKARI KANWA	1674	0.0489	4
1675	ABSENT	1675	0.0296	4
1676	ABSENT	1676	0.0175	4
1677	SULEIMAN JAMBIA ATHUMAN	1677	0.0511	4
1678	ABSENT	1678	0.0298	4
1679	ABSENT	1679	0.0265	4
1680	ABSENT	1680	0.0170	4
1681	MATANO KHAMIS ALI & ZAINAB ACHIENG OHON	1681	0.0319	4
1682	FATUMA ATHUMAN KIHUGU	1682	0.0228	4
1683	LYDIA DAMARIS OUNDO	1683	0.0585	4
1684	ABDALRAHMAN MWALIMU GHANA	1684	0.0618	4
1685	SAID HAMIS SUBIRA, HAMIS SAID SIMBA, SALIM SIMBA	1685	0.1440	4
1686	SAID MOHAMMED ABDALLA	1686	0.0259	4
1687	ABSENT	1687	0.0376	4
1688	MWALIMU MOHAMED KISINYO	1688	0.0625	4
1689	BWANA MWINYI MWARUNDU	1689	0.0439	4
1690	SAID KHAMIS SUBIRA	1690	0.1848	4
1691	OMAR HAMADI MWAGONGOLO	1691	0.3478	4
1692	MWANAKOMBO MASUD MFUJO	1692	0.0494	4
1693	RIZIKI ALI LENZO	1693	0.0514	4
1694	ALI JUMA MAVIRU	1694	0.2498	4
1695	JUMA BOMA OMAR	1695	0.0425	4
1696	ISMAIL MOHAMED SARAI	1696	0.0265	4
1697	NASSORO HAMISI NASSORO	1697	0.0423	4
1698	HAMADI BAKARI MGUWA, ABOATH BAKAARI OMAR & MWANAMWINYI BAKARI OMAR	1698	1.2106	4
1699		1699	0.0189	4
1700	MOHAMMED BAKARI CHANZUZU	1700	0.1390	4
1701	FURAHA ATHUMANI MWAMAGADI	1701	0.1510	4



	ABDI HASSAN MWABUDEW		
	HAMADI ALI MACHADI		
	MOHAMED HAMISI MWAMTEWA		
	ABSENT		
	SAID ALI MUHANTE		
	HAMISI MWAMENERO SAID		
	SALIM HAMADI MWAMLANYA		
	ABSENT		
	MBARUKU RAMADHANI KINYA		
	OMAR JUMA MWAMWENGO, OMAR MWAKARIBU OMARI, MWAJALIWA OMAR MWAKARIBU, MWIDADI OMAR MWAKARIBU & JUMA OMAR		
1712	RASHID HAMISI MUHAYA		
1713	MOHAMED MBARUK MWARAMUNO		
1714	ABSENT		
1715	MWANAMVUA MOHAMED HAMISI		
1716	MWANAMVUA MOHAMED HAMISI		
1717	MWANAMVUA MOHAMED HAMISI		
1718	HASSAN MBARUK MWARAMUNO		
1719	ABSENT		
1720	ABSENT		
1721	ABSENT		
1722	MWANAMGENI SALIM HAMISI		
1723	ABSENT		
1724	ABDALLA ABDALLA RAMADHAN & ABUBAKAR ALI MOHAMED		
1725	ABSENT		
1726	SHUFFAH OMAR AHMED		
1727	SHUFFAH OMAR AHMED		
1728	ABSENT		
1729	RAMADHAN ABDALLA		
1730	SHAMIM ALI KIPONDA		
1731	ZUBEDA MOHAMED		
1732	MWANAMISI MWINYI MWAKUKU		
1733	JANE WANGUI KARANJA		
1734	ASHA SULEIMAN MCHANYUMA, ALFAN SAIDI MWACHANDUGU, ABEID ALI MWACHIBAKO & SULEIMAN JUMA MWACHIBAKO		
1735	DISPUTED		
1736	SHIKA ADABU PRIMARY SCHOOL		
1737	JONATHAN MUNGAI		
1738	JUMA ALI TELLAH		
1739	SULEIMAN ABDALLA MWAKIBAKO		
1740	ABSENT		
1741	ABSENT		
1742	MOHAMED JUMA KUTSETSERA		
1743	ABSENT		
1744	ABSENT		
1745	MARIAM SWALEH MWAKUTO		

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	1714	0.0968	4
	1715	0.0584	4
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	1719	0.0122	4
	1720	0.0193	4
	1721	0.0378	4
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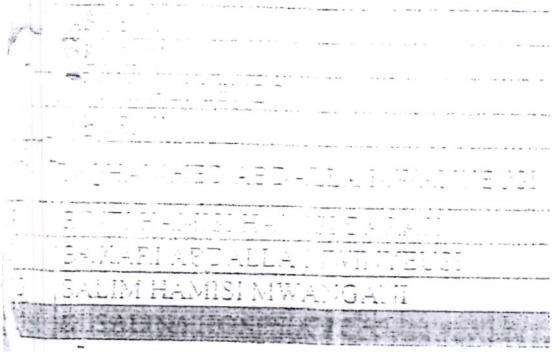

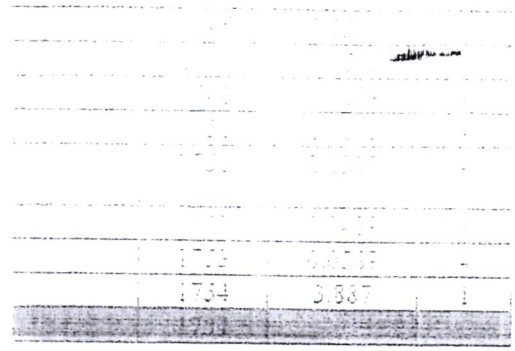

Hud. No. 92 00

SEIF BIN SALIM TRUST

P.O. Box 81479 MOMBASA - KENYA TEL: 223961

TRUSTEES Tel. No.
Mr. Said Bin Seif -316855
Laila Moh'd Seif -471758
Mr. Seif Said Bin Seif -316855

YOUR REF: OUR REF: DATE: 20.6.99

Dear Sir/Madam,

RE: INCREAMENT OF GROUND RENT.

This is to inform you that the Municipality of Mombasa has raised the annual rates to the extent that We have no alternative, but to demand the increased figure from you.

We shall therefore, be obliged to receive an increament of 100% from the previous rent, as from 1st July 1999.

Yours faithfully,
SEIF BIN SALIM TRUST.

T. S. AWADH (MRS):
THE MANAGERESS.
SEIF BIN SALIM TRUST
TS/ma