

REPUBLIC OF KENYA

MINISTRY OF LAND, HOUSING & URBAN DEVELOPMENT

MINISTERIAL STATEMENT ON RESUMPTION OF PROPERTY DEVELOPMENT AT THE JUNCTION OF LORESHO RIDGE ROAD AND LOWER KABETE ROAD

QUESTIONS

1. Explain why Nairobi City Council has allowed development to resume on the parcel of land, which is riparian and which had been stopped by the authorities following the intervention by the late Prof. Wangari Mathaai.
2. Explain the circumstances that have changed leading to the authorization, if indeed there is of resumption of the development.
3. Provide the name of the developer and the date in which the developer acquired title over the piece of land
4. Whom the developer acquired the piece of land from and at what consideration: and
5. Submit documents on the current ownership of the said piece of land

ANSWERS

1. Explain why Nairobi City County has allowed development to resume on the parcel of land, which is riparian, and which had

been stopped by the authorities following the intervention by the late Prof. Maathai;

On the resumption of development on LR NO. 209/12184 which has allegedly been allowed by the Nairobi City County, the County Government of Nairobi should be in a position to explain. Kindly note that development control is the direct mandate of the County Government. The County Government also has the responsibility of inspecting construction on the ground.

2. Explain the circumstances that have changed leading to the authorization, if indeed there is, of resumption of the development;

On changing circumstances leading to resumption of development, likewise the County Government is the right arm to respond to the question.

3. Provide the name of the developer and the date on which the developer acquired title over the piece of land;

Current owner of L.R. No. 209/12184 is Sound Equipment Ltd of P. O. Box 42531 Nairobi. The owner acquired the title No. I.R 62771 with an acreage of 2.107Ha. for a period of 99 years with effect from 1.1.1994 on 20th July 1994. It may therefore be assumed that the owner is the current developer of this land.

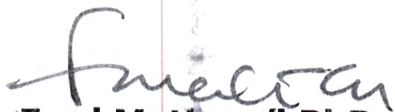
4. Whom the developer acquired the piece of land from and at what consideration

According to our records, Sound Equipment Ltd of P. O. Box 42531 Nairobi bought the said land **L.R. No. 209/12184** at a consideration of **Kshs. 3,090,000/=** from **Hojedac Investment Ltd** of P. O. Box 41061 Nairobi on 13th January 1994.

5) Submit documents on the current ownership of the said piece of land.

Attached please find copies of documents on the current ownership of the land:

- i. Letter approving allocation
- ii. Copy of un-approved PDP No. 42/27/91/2
- iii. Letter of allotment;
- iv. Request to transfer (from Hojedac Investments Ltd to Sound Equipment Ltd.);
- v. Letter of consent to transfer;
- vi. Form of transfer from Hojedac Investments Ltd to Sound Equipment Ltd


Fred Matiang'i PhD
CABINET SECRETARY

22ND October, 2015

FORM OF TRANSFER

I/We M/E HOSADAC INVESTMENTS LIMITED
of P.O. Box 41061 NAIROBI
in consideration of sum of Kshs. 3,090,000

Paid to me by M/E SOUND EQUIPMENT LIMITED
of P.O. Box 42531 NAIROBI
do hereby transfer to M/E SOUND EQUIPMENT LIMITED

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

M/E SOUND EQUIPMENT LIMITED
Dated this 8th day of JULY 1994

Signed by the vendor

in presence of KIOGORA-MUTAI
ADVOCATE
Box 10930, NAIROBI

Signed by the purchaser

in the presence of KIOGORA-MUTAI
ADVOCATE
Box 10930, NAIROBI

SCHEDULE

All that piece of land containing 2.107 HA
or thereabouts situated in CITY OF NAIROBI
and known as L.R. No. 209/12184
allocated to me by Letter from the Commissioner of
Lands dated 13th JANUARY 1994

I hereby consent the transfer

[Signature]
FOR: COMMISSIONER OF LANDS

156146/5

15th April,

94

HOJEDAC Investments Limited,
BOX 41061,
NAIROBI.

RE: CONSENT TO TRANSFER UNS. RESIDENTIAL PLOT -
SPRING VALLEY NAIROBI

In reference to your letter dated 22/3/94 this is
to inform you that the request to have the plot issued
in the name of M/S SOUND EQUIPMENT LIMITED of P.O.
BOX 42531, NAIROBI has been accepted. *file*

Udumo
(K. YANO)
FOR: COMMISSIONER OF LANDS

/nn

H O J E D A C I N V E S T M E N T S L T D .

P . O . B O X 4 1 0 6 1 ,

N A I R O B I .

22nd March, 1994

The Commissioner of Lands,
Ministry of Lands,
P.O. Box 30089,
NAIROBI.

RE: LETTER OF ALLOTMENT DATED 13/3/1994

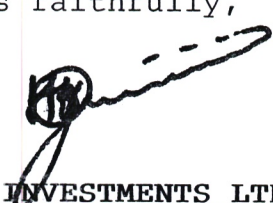
This is to acknowledge receipt of the above letter of allotment dated 13th March, 1994 and wish to confirm my acceptance of the offer.

I enclose hereto bankers cheque amounting to KSH.781,140/= being the amount demand on the said letter.

I wish to request you to give me the title and receipt in the name of M/S. SOUND EQUIPMENT LTD, OF P.O. BOX 42531, NAIROBI.

Your assistance in this will be highly appreciated.

Yours faithfully,


JOJEDAC INVESTMENTS LTD.

Encls:

Cashier
accept Payment
as per LPA Plus
100% Consent fee
Amhwalu
820W,
23/3/94

REPUBLIC OF KENYA

Telegrams: "LANDS", Nairobi
Telephone: Nairobi 718050/9

REGISTERED

DEPARTMENT OF LANDS

P.O. Box 30089

NAIROBI

13th January, 1994

M/s. Hojedac Investments Ltd.
P.O. Box 41061,
NAIROBI.

Ref. No. 5663/16.

SIR(S) MADAM,

UNS. RESIDENTIAL PLOT - SPRING VALLEY NAIROBI

LETTER OF ALLOTMENT

I have the honour to inform you that the Government, on behalf of the County Council, hereby offers you a grant of the above plot shown edged red on the attached plan No. subject to your formal written acceptance of the following conditions and to the payment of the charges as prescribed hereunder:

AREA: 2.06 hectares (approximately).

TERM: 99 years from the 1.1.1994

STAND PREMIUM: Sh. 618,000/-

ANNUAL RENT: Sh. 123,600/-

Subject to adjustment on survey, but there is no claim for reduction in area on survey.

GENERAL: This Letter of Allotment is subject to, and the grant will be made under the provisions of, the Government Lands Act (Cap. 280 of the Revised Edition the Laws of Kenya) and title will be issued under the Registration of Titles Act (Cap. 281) or the Registered Land Act (Cap. 300).

SPECIAL CONDITIONS: See attached.

2. I should be glad to receive your acceptance of the attached conditions together with banker's cheque for the amount as set out below within thirty (30) days of the postmark:

	Sh.
Stand Premium	618,000/-
Rent from 1.1.94 to 31.12.94	123,600/-
Conveyancing Fees	500/-
Registration Fees	100/-
Rates Payable on demand	
Stamp Duty	39,540/-
Survey Fees Payable on demand	
Road and Road Drains	
Others	
Receipt No. Less Deposit	
TOTAL	781,140/-

[P.T.O.]

14/01/94

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

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

The issue of the Government grant or lease will be undertaken as soon as circumstances permit.

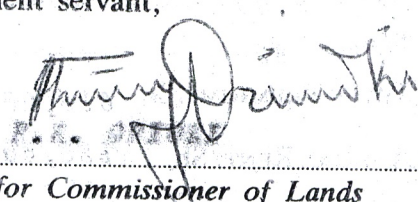
Your full name(s) in BLOCK LETTERS should be given for the purpose of the grant which will be submitted later to you. The attached special conditions form part of the offer which should be accepted in writing. *The Government shall not accept any liability whatsoever in the event of prior commitment.*

I have the honour to be,

Sir(s)/Madam,

Your obedient servant,

Authority: 108740/11/00/111/07


for Commissioner of Lands

ENCL.

COPY TO: P/S Ministry of Lands and Settlement, Nairobi

The Director of Surveys, Nairobi.

The Town Clerk. P.O. Box 30074, NAIROBI

The Clerk to the Council, County Council of

The District Commissioner.

The Director of Physical Planning, Nairobi.

District Land Officer.

O/C Land Rents.

Rates Assistant.

The Accountant.

O/C Records. - noted 2/3/94 All 40 note.

Senior Plan Record Officer.

Plot File.

Koskey file 10/3/94

51

PPD/42/27/V/51

1st July

91

The Commissioner of Lands
P.O. Box 30089
NAIROBI

RE: ALLOCATION OF RESIDENTIAL PLOTS MARKED A AND B
- LOWER KABETE ROAD, NAIROBI
- PART DEVELOPMENT PLAN NO. 42/27/91/2

Your letter No. 102749/31/XXI/122 dated 24th June, 1991 requesting me to prepare the above plan refers.

Enclosed please find two prints of my drawing No. 42/27/91/2 dated 28th June, 1991 illustrating the proposed plots for favour of your approval and signature, and to facilitate allocation.

Although you had mentioned in your letter that the plan should take into account the proposed canalisation of the river running through the two plots, such canalisation has not been shown on my drawing since the allottees have not submitted the necessary technical design. I have, however, allowed a 9m. riparian reserve. The allottees may apply for canalisation of the river in the usual manner.

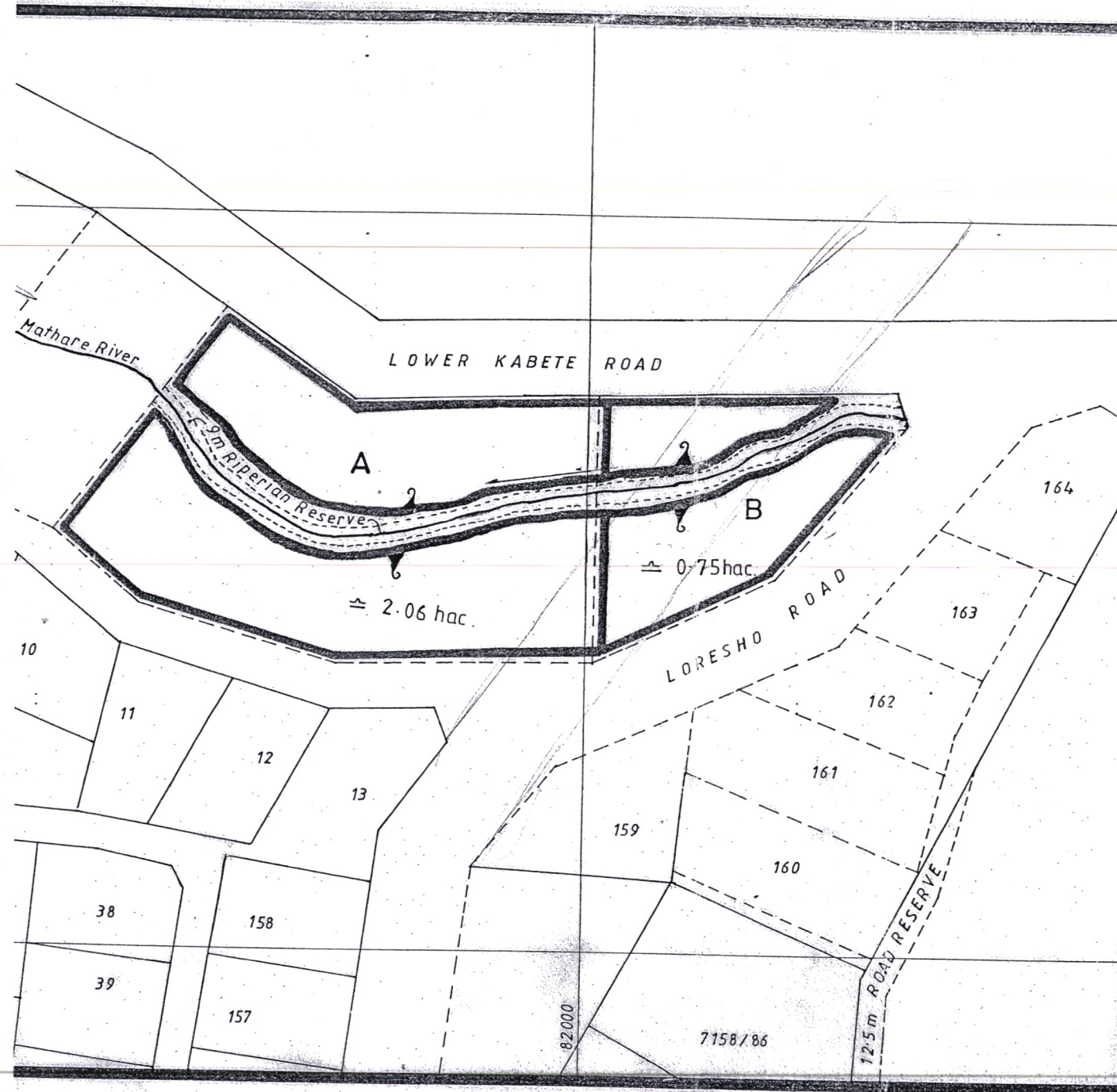
I trust that you will find the plan in order.

Gth

GICHUKI THOGO
for: DIRECTOR OF PHYSICAL PLANNING

GT/an.

Encls.



KYUNA ESTATE



PROPOSED RESIDENTIAL PLOT

NOTE: BASE USED P.D.P. No. 113
REF. 42/27/71/1B/A

MINISTRY OF LANDS & HOUSING

PHYSICAL PLANNING DEPARTMENT

NAIROBI

PART DEVELOPMENT PLAN



SCALE	1 2500
DATE	27 th June 1991
PREPARED BY	
DRAWN BY	SIKO H.O.

DEPARTMENTAL REFERENCE No. 42/27/91/2

DIRECTOR *[Signature]*
Physical Planning Department

DATE 28/6/91

APPROVED

NAIROBI

COMMISSIONER OF LANDS

DATE

APPROVED DEVELOPMENT PLAN No.

MINISTRY OF LANDS AND HOUSING



rams: "LANDS", Nairobi
ophone: Nairobi 728066
or 723348

When replying please quote

Ref. No. IO2749/31/XXI/122
and date

DEPARTMENT OF LANDS

P.O. Box 30089

NAIROBI

24th June 1991

The Director of Physical Planning,

P.O. Box 45025,

NAIROBI.

NAIROBI ALLOCATION OF RESIDENTIAL PLOT MARKED A AND B
LOWER KABETE ROAD

I have received an approvals to allocate the sites edged red shown on the plan attached herewith for residential development. I shall be grateful if you will prepare Part Development Plan in respect of sites A & B taking into account the proposed canalisation of the river which runs along the two plots.

Please expedite the submission of the said Part Development Plan for my approval.

(F.W.S. MWITHUKIA)

For: COMMISSIONER OF LANDS

FWSM/TN.

28/6/91

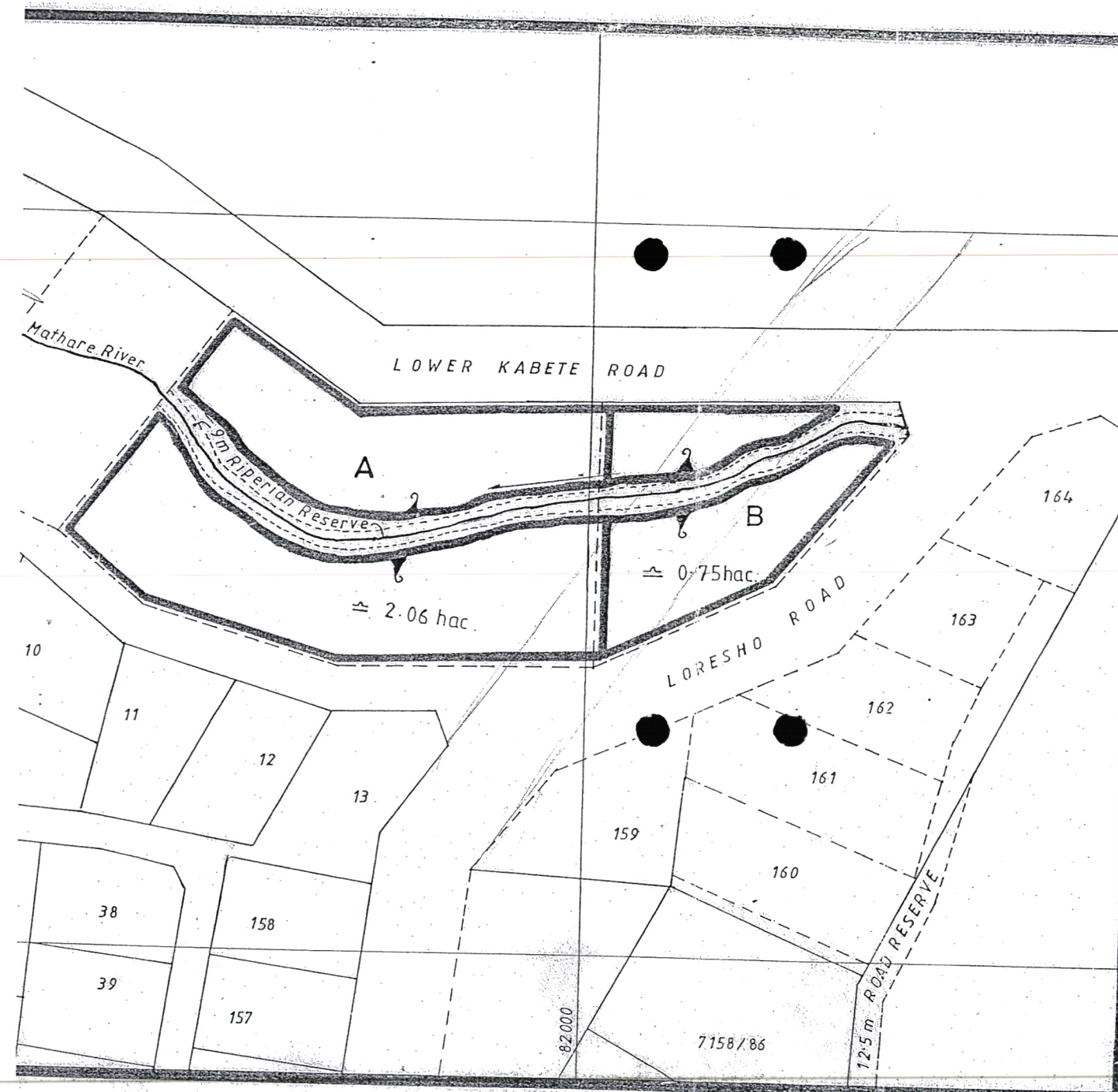
Mr. Thogo
Jue

W

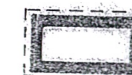
Mr. Gichohi
b. n a
Oth

See
folio (51)

PDP N^e 42/27/91/2



KYUNA ESTATE



PROPOSED RESIDENTIAL PLOT

NOTE: BASE USED P.D.P. No. 113
REF. 42/27/71/1B/A

MINISTRY OF LANDS & HOUSING

PHYSICAL PLANNING DEPARTMENT

NAIROBI

PART DEVELOPMENT PLAN



SCALE 1 2500

DATE 27th June 1991

PREPARED BY

DRAWN BY SIKO H.O.

DEPARTMENTAL REFERENCE No. 42/27/91/2

DIRECTOR *[Signature]*
Physical Planning Department

DATE 28/6/91

APPROVED

NAIROBI

COMMISSIONER OF LANDS

DATE

APPROVED DEVELOPMENT PLAN No.

