

COUNTY GOVERNMENT OF NAIROBI CITY



Petition read on  
28/2/2024  
Committed to Planning & Housing Committee

NAIROBI CITY COUNTY ASSEMBLY

THIRD ASSEMBLY

27/2/2024

[PUBLIC PETITION PURSUANT TO STANDING ORDER 214]

BY RESIDENTS OF UMOJA 1 WARD ON GRABBED PUBLIC LAND CF14/NAIROBI/BLOCK 83/1223 AND CF17 IN UMOJA 1 SET ASIDE FOR NURSERY, PRIMARY AND SECONDARY SCHOOLS ON MOI DRIVE IN UMOJA 1 WARD, EMBAKASI WEST IN NAIROBI CITY COUNTY.

WE THE UNDERSIGNED Citizens of Kenya who are residents of Umoja 1 Estate, Embakasi West Sub County, Nairobi County.

DRAW the attention of the County Assembly of Nairobi to the following: -

AWARE THAT, Article 185 of the Constitution of Kenya, 2010 vests the legislative authority and oversight of the County Governments in the County Assembly;

THAT WHEREAS, Articles 62 and 63 of the Constitution mandates the County Government to hold in trust public land on behalf of county residents;

THAT WHEREAS, Article 42 of the constitution further provides that every person has the right to a clean and healthy environment;

THAT WHEREAS, for the last 44 years from 1978 residents of Umoja 1 have been custodians of the public land CF14/NAIROBI/BLOCK 83/1223 and CF17;

BY RESIDENTS OF UMOJA 1 WARD ON GRABBED PUBLIC LAND CF14/NAIROBI/BLOCK 83/1223 AND CF17 IN UMOJA 1 SET ASIDE FOR NURSERY, PRIMARY AND SECONDARY SCHOOLS ON MOI DRIVE IN UMOJA 1 WARD, EMBAKASI WEST IN NAIROBI CITY COUNTY.



**THAT WHEREAS**, a group of individuals who are not residents of Umoja 1 have grabbed the said public land that was meant for the Community Nursery, Primary and Secondary Schools and a Social Hall;

**THAT WHEREAS**, the population of Umoja 1 is growing steadily and a place for more Education institutions to cater for the raising population is needed;

**THAT WHEREAS**, the petitioners, confirm that efforts have been made to have the matter addressed by the relevant body, it failed to give a satisfactory response;

**AND THAT**, all the matters in respect of which the petition is raised are not pending before any court of law or constitutional body.

**NOW THEREFORE**, your humble Petitioners PRAY that the County Assembly of Nairobi City County intervenes and ensure that; -

- a) The National Land Commission and all the relevant bodies furnishes the Nairobi City County with the deed plans to facilitate and solve the dispute herein;
- b) An immediate order be issued to revoke the titles on the said public utility and remove all structures including the perimeter wall;
- c) Nairobi City County Government repossesses and plan to construct a Nursery, Primary and Secondary School to cater for the over 170,000 residents of Umoja 1 ward;
- d) Nairobi City County Government to secure the said Land and hold it in trust on behalf of the Umoja 1 residents and Nairobians at large.

And we will forever pray.

Presented by;

Hon. Antony Kiragu, MCA- Leader of Minority Party

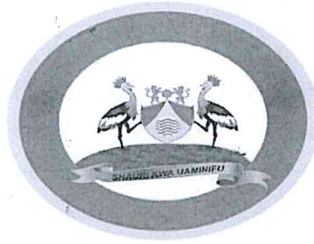
*On behalf of;*

- The Residents of Umoja 1 residents.

*And by extension;*

All residents of Nairobi County

COUNTY GOVERNMENT OF NAIROBI CITY



NAIROBI CITY COUNTY ASSEMBLY

THIRD ASSEMBLY

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CF14/NAIROBI/BLOCK 83/1223 AND CF17 IN UMOJA 1 SET ASIDE FOR  
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UMOJA 1 WARD, EMBAKASI WEST IN NAIROBI CITY COUNTY.

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DRAW the attention of the County Assembly of Nairobi to the following: -

AWARE THAT, Article 185 of the constitution of Kenya, 2010 vests the legislative authority and oversight of the County Governments in the County Assembly;

THAT WHEREAS, Articles 62 and 63 of the constitution mandates the County Government to hold in trust public land on behalf of the county residents;

THAT WHEREAS, Article 40 of the constitution provides that the state shall not deprive a person of property of any description, unless the deprivation (a) results from an acquisition of land or an interest in land, or title to land, in accordance with Chapter five; or (b) is for a public purpose or in the public interest and is carried out in accordance with this constitution and any Act of Parliament;

THAT WHEREAS, Article 42 of the constitution further provides that every person has the right to a clean and healthy environment;

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BY RESIDENTS OF UMOJA 1 WARD ON GRABBED PUBLIC LAND CF14/NAIROBI/BLOCK 83/1223 AND CF17  
IN UMOJA 1 SET ASIDE FOR NURSERY, PRIMARY AND SECONDARY SCHOOLS ON MOI DRIVE IN UMOJA 1  
WARD, EMBAKASI WEST IN NAIROBI CITY COUNTY.



THAT WHEREAS, for the last 44 years from 1978 residents of Umoja 1 have been custodians of the public land CF14/NAIROBI/BLOCK 83/1223 and CF17;

THAT, a group of individuals who are not residents of Umoja 1 have grabbed the said public land that was meant for the Community Nursery, Primary and Secondary Schools and a Social Hall;

THAT, the population of Umoja 1 is growing steadily and a place for more Education institutions to cater for the raising population is needed;

THAT WHEREAS, the petitioners, confirm that efforts have been made to have the matter addressed by the relevant body, it failed to give a satisfactory response;

AND THAT, all the matters in respect of which the petition is raised are not pending before any court of law or constitutional body.

HEREFORE, your humble Petitioners PRAY that the County Assembly of Nairobi City County intervenes and ensure that; -

- a) The National Land Commission and all the relevant bodies furnishes the Nairobi City County with the deed plans to facilitate and solve the dispute herein;
- b) The immediate order to revoke the titles on the said public utility and remove all structures including the perimeter wall;
- c) Nairobi County to repossesses and plan to construct a Nursery, Primary and Secondary school to cater for the over 170,000 residents of Umoja 1 ward;
- d) The Nairobi City County Government to secure the said Land and hold it in trust on behalf of the Umoja 1 residents and Nairobians at large.

And we will forever pray.

Presented by;  
Hon. Antony Kiragu, MCA- Leader of Minority Party

*On behalf of;*  
- The Residents of Umoja 1 residents.

*And by extension;*  
All residents of Nairobi County

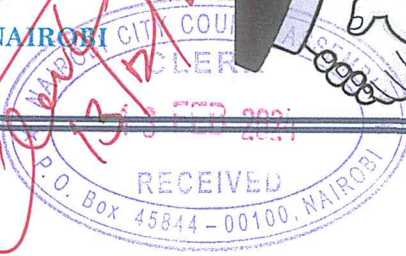
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BY RESIDENTS OF UMOJA 1 WARD ON GRABBED PUBLIC LAND CF14/NAIROBI/BLOCK 83/1223 AND CF17  
IN UMOJA 1 SET ASIDE FOR NURSERY, PRIMARY AND SECONDARY SCHOOLS ON MOI DRIVE IN UMOJA 1  
WARD, EMBAKASI WEST IN NAIROBI CITY COUNTY.

# UMOJA 1 RESIDENTS ASSOCIATION

P.O. Box 266-89515 NAIROBI

CELL PHONE: 0722 767 686  
0722 801 408



7<sup>th</sup> FEBRUARY, 2024

**PUBLIC PETITION BY RESIDENTS OF UMOJA 1 WARD ON THE GRABBED PUBLIC LAND SET ASIDE FOR NURSERY , PRIMARY AND SECONDARY SCHOOLS ON MOI DRIVE IN UMOJA ONE WARD, EMBAKASI WEST NAIROBI COUNTY.**

**We the undersigned citizens** of Kenya who are residents of Umoja one Estate do hereby draw the attention of the County Assembly of Nairobi to the following:-

**Aware that**, Article 185 of the constitution of Kenya, 2010 vests the legislative authority and oversight of the county governments in the County Assembly.

**That whereas**, Article 62 and 63 sub section (i) & (iii) of the constitution mandates the county government to hold in trust public land on behalf of the county residents.

**That whereas**, Article 40 of the constitution 2010 provides that state shall not deprive a person of property of any description, unless the deprivation (a) results from an acquisition of land or an interest in land, or title to land, in accordance with Chapter five; or (b) is for a public purpose or in the public interest and is carried out in accordance with this constitution and any Act of Parliament;

**That whereas**, Article 42 of the constitution further provides that every person has the right to a clean and healthy environment, which includes the right:-

- a) To have the environment protected for the benefit of present and future generations through legislative and other measures, particularly those contemplated in Article 69 and
- b) To have obligations relating to the environment fulfilled under Article 70,

CELL PHONE: 0721 665 627, 0722 234 780

1) PCA L&D  
Kindly check if it  
meets the provisions of  
SD 214/2017 and draft  
it in the correct form.  
DLS  
13/2/2024

11) DLS  
Working Process is  
done with the  
relevant S/O.  
ADMT  
DLS  
13/2

2

1



# UMOJA 1 RESIDENTS ASSOCIATION

P.O Box 268-89515 NAIROBI



CELL PHONE: 0722 767 686  
0722 801 408

**That whereas**, Article 28 of the constitution states that every person has inherent dignity and the right to have that dignity respected and protected.

That, for the last 44 years from 1978 residents of Umoja 1 have been custodians of the said public utility and opposed to developments on a public space in the Estate.

**That whereas** we confirm that efforts have been made to have the matter addressed by the relevant body, vide the attached copies of letter.

**THEREFORE**, we the petitioners PRAY that the County Assembly of Nairobi intervenes and ensures that:-

1. There is immediate order to revoke the titles on the said public utility and remove all structures including the perimeter wall.
2. Nairobi County repossesses and plans to construct a Nursery, Primary and Secondary schools to cater for the over 170,000 residents of Umoja one ward.
3. Any other action that the Assembly may consider necessary to protect public property and constitutional rights of the residents and home owners would be appreciated.

Yours Faithfully,

**Chairman** Name: ESBO N. B. KIHARA Sign: [Signature] Date: 7<sup>th</sup> Feb 2024

**Secretary** Name: JACINTA MWANGI Sign: [Signature] Date: .....

**Organising Secretary** Name: JAMES WAMBIRU Sign: [Signature] Date: 7/02/2024

CC

Member of County Assembly

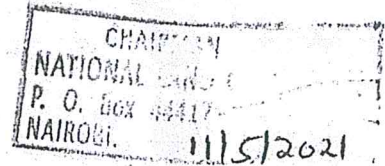
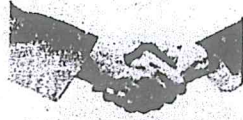
Umoja 1 Ward.

**CELL PHONE: 0721 665 627, 0722 234 780**



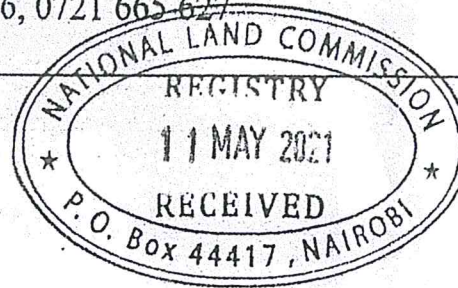


# UMOJA 1 RESIDENTS ASSOCIATION



P.O BOX 268-00515, Nairobi  
Tel: 0722 767 686, 0721 665 627

MAJ.GEN.M.BADI  
DIRECTOR  
NAIROBI METROPOLITAN SERVICES.  
05 May 2021.



Dear Sir,

**RE: GRABBED PUBLIC LAND IN UMOJA 1. CF14/NAIROBI/BLOCK83/1223 AND CF17**

The above mentioned subjects refer.

Sir, this is a follow-up of the letter addressed to you dated 10/07/2020 by Umoja 1 Residents Associated (URA) registered under the societies Act.

A group of individuals who are not residents of umoja have grabbed the above indicated plots meant for community Nursery school, Primary schools, Secondary school and Social hall.

Sir we would also like to draw your attention to the swelling population of umoja 1 ward which is currently more than 160,000 people and being with only one primary school and one nursery school and no secondary school.

We kindly request you through your good offices to revoke grabbed plots for the benefit of today and future generations.

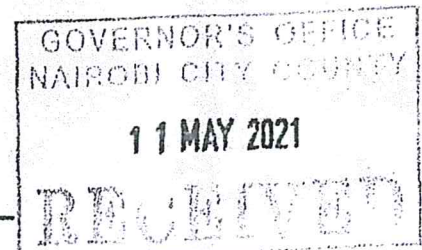
We would kindly appreciate if you would give us an audience to express ourselves and explain further.

Thanking you in anticipation, we remain.

Yours faithfully,

Esbon Kihara  
Chairman  
URA

Jacinta Mwangi  
Secretary  
URA







# UMOJA 1 RESIDENTS ASSOCIATION



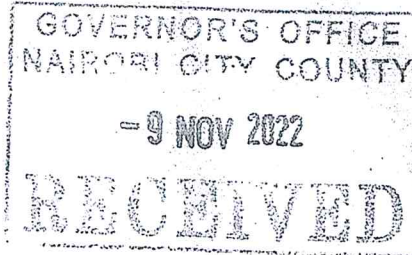
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CELL PHONE: 0722-767484

0722-841408

0721665627

H.E GOVERNOR  
NAIROBI COUNTY  
P.O. BOX 30075  
7<sup>TH</sup> NOVEMBER 2022



Dear Sir,

**RE GRABBED PUBLIC LAND IN UMOJA 1, CF14/NAIROBI/BLOCK83/1223 AND CF17**

The above mentioned subjects refer.

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Yours faithfully

Esbon Kihara  
Chairman  
URA  
CC AREA MP  
CC AREA MCA

Jacinta Mwangi  
Secretary  
URA





# UMOJA 1 RESIDENTS ASSOCIATION



P.O. Box 264-00515 NAIROBI.

CELL PHONE: 0722-767686

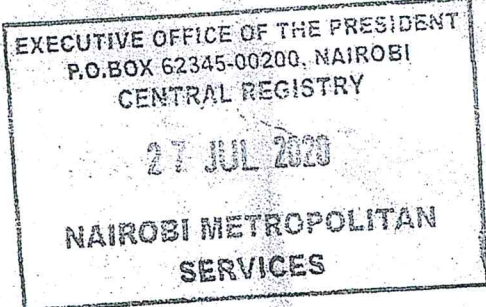
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MAJOR GENERAL BANDE  
DIRECTOR NAIROBI METROPOLITAN SERVICES  
NAIROBI COUNTY

10/07/2020

Dear Sir,

REF: GRABBED PUBLIC LAND IN UMOJA 1



The Umoja 1 Residents Association who are the complainants is a registered organization under the societies Act whose main objective among others is to look into the welfare of the community. It tries to address injustices and problems subjected to the people through unfair means. In this regard Sir, responding to your call to reclaim all the illegally grabbed lands we wish to draw your attention to the following illegally grabbed lands in Umoja 1 Innercore area;

1. All that parcel of land marked CF17 in the map that was meant for the construction of a secondary school but has since been illegally grabbed.
2. All that parcel of land marked CF14 in the map that was meant for the construction of a primary school and a nursery school but has also been illegally grabbed.

Our request to Nairobi Metropolitan Services is to revoke all the illegally grabbed lands in the area that have denied the community it's so needed essential services.

Attached kindly are the relevant documents to support our claims. We also urge the Nairobi Metropolitan Services to access the Umoja 1 housing Estate Innercore map drawn by the then Nairobi City Council to locate the areas in question. As Umoja 1 Residents Association we guarantee our full support and cooperation to you in the cause of reclaiming the illegally grabbed lands. Finally, we wish to thank you for the good services you are rendering to Nairobi County and we are optimistic that the glory of Nairobi as a county will be realized soon.

Yours faithfully

Umoja 1 Resident Association

Cc

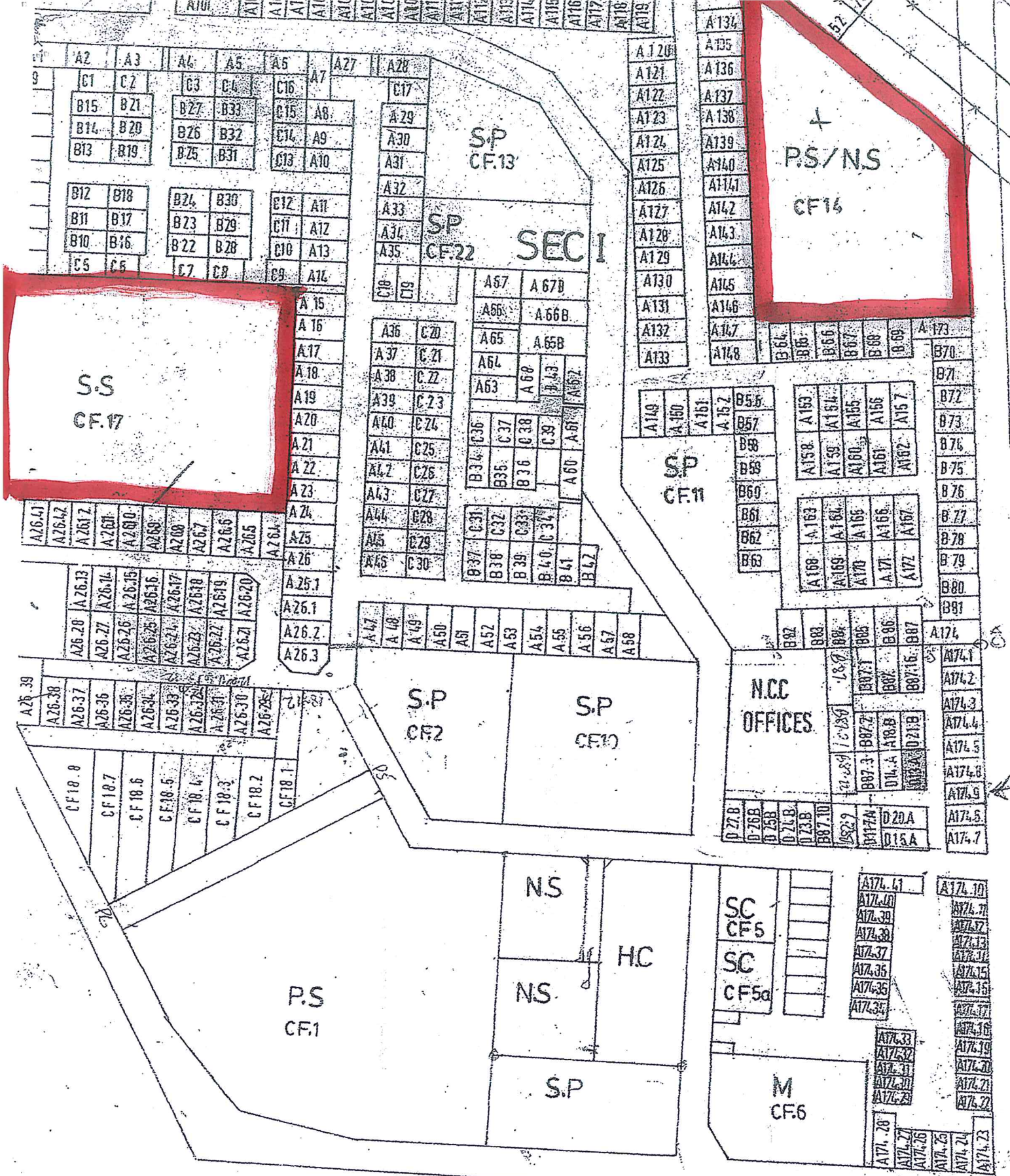
M.P Embakasi West, MCA Umoja 1 Ward

Chairman  ..... Secretary  .....

Organising sec: 





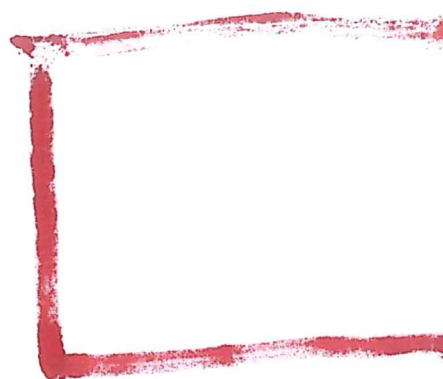
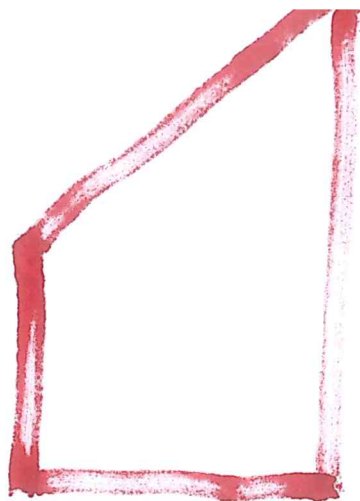


PHASE I

HOUSING

ESTATE

IMMEDIATE





Copy of the title of  
one of the grabbed  
public land.  
(CF14)



REPUBLIC OF KENYA

THE REGISTERED LAND ACT  
(Chapter 300)

# Certificate of Lease

TITLE No.

NAIROBI/BLOCK 83/1223

APPROXIMATE AREA

1.273 Ha.

LESSOR

NAIROBI CITY COUNCIL

RENT

SHS.140/=(REVISABLE)

TERM

99 YEARS FROM 1.8.1977

LESS 3 DAYS

*This is to certify that* EMBAKASI WELFARE SOCIETY OF  
P. O. BOX 28548 NAIROBI.\*\*\*\*\*

is (are) now registered as the proprietor(s) of the leasehold interest above referred to, subject to the agreements and other matters contained in the registered lease, to the entries in the register relating to the lease 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 comprised in the lease.

GIVEN under my hand and the seal of the

NAIROBI

District Registry

this 23rd day of NOVEMBER, 2005

