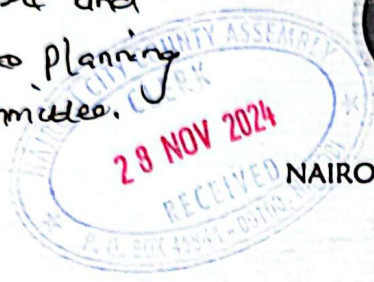
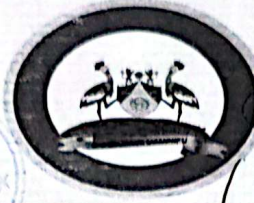


COUNTY GOVERNMENT OF NAIROBI CITY

Petition read on
5th Dec, 2024 and
committed to Planning
& Housing Committee.



Attri
Approved
Commission
8 DEC 2024
28/11/2024

NAIROBI CITY COUNTY ASSEMBLY

THIRD ASSEMBLY
(THIRD SESSION)

[PUBLIC PETITION PURSUANT TO STANDING ORDER 214]

PUBLIC PETITION BY CHARLES NGANGA KIMANI ON REMOVAL OF ILLEGAL STRUCTURES ERECTED AROUND PLOT NO. CU469/443 AT UMOJA 11 MATATU STAGE IN NAIROBI CITY COUNTY.

WE THE UNDERSIGNED Citizens of Kenya who are residents of Umoja 11 within Nairobi City 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, Article 62 of the constitution mandates the County Government to hold in trust public land in trust for county residents;

THAT WHEREAS, Section 5(e) of The National Land Commission Act, 2012 requires the Commission to initiate investigations into present or historical land injustices and recommend appropriate redress;

THAT WHEREAS, Section 116 of the County Governments Act, 2012 imposes an obligation on the County Government and its agencies to deliver services within its designated area of jurisdiction. Further, Section 117 (1) (a) of the Act provides that the

PUBLIC PETITION BY CHARLES NGANGA KIMANI ON REMOVAL OF ILLEGAL STRUCTURES ERECTED AROUND PLOT NO. CU469/443 AT UMOJA 11 MATATU STAGE IN NAIROBI CITY COUNTY.

County Government shall give priority to basic needs of the public to ensure that all members of the public have access to basic services;

THAT, before commencing any development, developers must seek approval from the County Government;

THAT, the plot No CU469/443 is a Public Land that was reserved for the use of public matatu stage;

THAT, a private developer has invaded the said public land and erected illegal structures despite a prior ruling by the Nairobi City County and Embakasi West Sub-County illegal;

THAT, the said developer who is a former Member of parliament for the Embakasi West has erected these structures without any approval by the relevant authority from the County Government;

THAT, despite the petitioners adhering to Nairobi County by -laws by paying necessary land rates and ground rent, the illegal structures in question have impacted negatively on the residents by blocking their businesses, used as a hide out for youths who engage in crime in the area, and have created environmental hazards forcing many tenants to vacate;

THAT WHEREAS, 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 Nairobi City County Government in conjunction with the relevant organs to bring down the illegal structures being developed on plot No CU469/443

PUBLIC PETITION BY CHARLES NGANGA KIMANI ON REMOVAL OF ILLEGAL STRUCTURES ERECTED AROUND PLOT NO. CU469/443 AT UMOJA 11 MATATU STAGE IN NAIROBI CITY COUNTY.

and legal action be taken against the developer and any other Government officer(s) who might have participated in the illegality;

- c) The said land be surrendered back to the Nairobi City County Government and give appropriate deed plans in respect to the public utility land in issue herein; and
- d) The Nairobi City County Government to secure the said Land and hold it in trust on behalf of the Umoja 11 residents and Nairobians at large.

And your Petitioners will forever pray.

Presented by;
Hon. Speaker

On behalf of;

- The Umoja 11 Matatu stage residents.

And by extension;

- All residents of Nairobi County.

PUBLIC PETITION BY CHARLES NGANGA KIMANI ON REMOVAL OF ILLEGAL STRUCTURES ERECTED AROUND PLOT NO. CU469/443 AT UMOJA 11 MATATU STAGE IN NAIROBI CITY COUNTY.

Charles Nganga Kimani
P.O. BOX 1004-00525
Nairobi, Ruai
Tel: 0710848801

24th September 2024

To the Clerk,
Nairobi City County Assembly,
City Hall,
Nairobi.

Dear Sir/Madam,

RE: Petition to Remove Illegal Structures Around Plot CU469/443 at Umoja II Matatu Stage

We, the undersigned residents of Nairobi and concerned parties, wish to bring to your attention the issue of illegal structures that have been set up around Plot CU469/443, located at Umoja II Matatu Stage. These structures, which were erected without approval, have caused significant disruption to the neighbourhood and negatively impacted the business operations on the plot.

As law-abiding citizens, we have consistently adhered to the Nairobi County by-laws, paying all necessary land rates and ground rent. However, the illegal structures in question have led to increased insecurity, including criminal activities and environmental hazards, forcing several tenants to vacate their premises.

These structures were reportedly set up by the former MP of Embakasi West, Mr. George Theuri, despite a prior ruling by the Nairobi City County and Embakasi West Sub-County declaring them illegal. Efforts to demolish these structures have been met with resistance and intimidation.

We kindly petition your office to take urgent action in removing these illegal structures and hawkers to restore order, security, and accessibility to the affected property. We trust that this matter will be handled with the urgency it deserves.

① ~~DLs~~
Kindly Review and advice
Clerk
9/10/24



TU
Ch. Kanang
Please deal and
let us discuss
Hyper.
Per Ch. P.
9/10/24.

③ PLAS h&P
Para wise of sum
and check if conforms
to the provisions of
SO 214/217.
④ DLS
9/10/2024

④ DLS.
Kindly deal.
ADONY
DCL.
8/10/24.

Yours faithfully,

1. CHARLES M.N. KIMANI ID 1190221 TEL 0790848801
2. P.S. MBURU KINYANTUI 0722 395545
3. Serah Wangvi - 0720452835
- 9841400
4. -Joyce-wanjiru-24609854-0798460669
5. BENSON JUMA NLORE 21864022 0721542307
6. Delmas Okero - 30876149 0721542307
7. Kennedy Mukuira - 24586614 - 0726710001
0740151631
8. Calvin Opondo - 36813673 -
9. Joseph Ochieng 23898249 - 0716216664
10. ANDREW BENSON KIARIE - 28807176 - 0725003371
11. OSCAR DUMA - 33823830 - 0791417841
12. MICHAEL OCHIENG - 071644299
13. Hussein Mark 33533266
14. ERICK Omondi 30920898 0712230609
15. Ralph Hope 40863225 0716067895
16. Jane mary k. 0489442 0722828370
17. James Omondi 33557928 0101542307
18. Kevin Omondi 40951280 - 0111598653
19. Michael Wasonga 39822825 0704854117
20. Erick Fwaga 34831124 0704352573