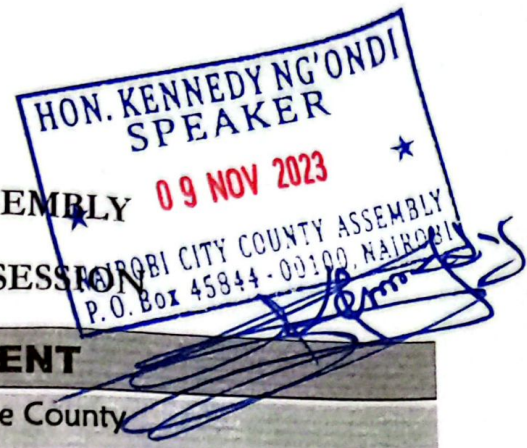




NAIROBI CITY COUNTY ASSEMBLY

THIRD ASSEMBLY - SECOND SESSION



REQUEST FOR STATEMENT

Subject: Attempted irregular acquisition of private land in the County

Hon. Speaker,

Pursuant to Standing Order 47(2) (c), I wish to request for a statement from the Chairperson of the Sectoral Committee on Lands, Planning and Housing regarding irregular and forceful acquisition of private land in the County.

Hon. Speaker, Part II of the Fourth Schedule of the Constitution of Kenya, 2010 apportions planning and development function to County Governments. Further, Article 40 guarantees every citizen the right to acquire and own property. In addition, Article 21 (1) requires upon the State to protect the Bill of rights. Hon. Speaker, Plot No. 204/146 along Muratina Street was originally one block but was later sub-divided in 1996 by the defunct Nairobi City Council into four (4) plots, namely, A, B, C and D and allocated to different people as follows:

- Plot A. size 0.1 ha was allocated to David M. Muthee;
- Plot B. size 0.1 ha was allocated to Wachuchu Enterprises;
- Plot C. size 0.1 ha was allocated to Willie Kimei; and
- Plot D. size 0.22 ha was allocated to Seventh Day Adventist Church.

Hon. Speaker, the owners of the respective portions paid fees and signed leases of agreement were signed and registered at the Lands Office on 7th May 1999. However, in the course of developing the said portions by respective owners, Mararma Cooperative Savings Society Limited emerged claiming to have acquired the whole block and issued with a title deed by the Commissioner of Lands under LR. No.50765. In addition, other people came out to lay claim on the parcel by producing a letter Ref. CCC/MNN/320/L/07 dated 17th August 2007 and signed off by Mr. Nelson W. Otido for Town Clerk. The said document referenced the same block as NRN/BLK/133/293 LR. No 8285/510 and LR. NO 209/17488 under provisional title No. 107983 which is believed to be a forged document.

Hon. Speaker, in the statement, the Chairperson should inquire into and report on:-

- i) A report on the ownership of the said piece of land before and after the alleged sub-division;
- ii) Whether due process was followed in allocating the land to the four owners;
- iii) Whether the aforementioned letter signed by a Mr. Nelson W. Otido is an authentic Nairobi City Council document; and
- iv) Measures that the County Executive is putting in place to protect private land owners from illegal and forceful acquisition of the land by cartels.

Statement requested by Hon. Charles Mwangi on 7/12/2023

Handwritten signature in blue ink.

HON. CLARENCE MUNGA, MCA.
MEMBER OF COUNTY ASSEMBLY, KABIRO WARD

Date: 6/12/2023