

**LEASE AGREEMENT FOR GROWTH OF MACADAMIA AND  
OTHER CASH CROPS IN THE MKUFI ESTATES**

**BETWEEN**

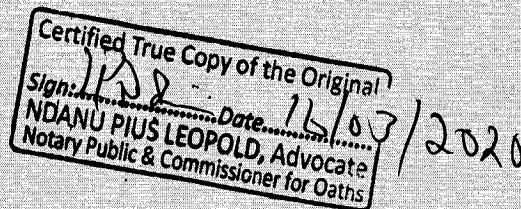
**MACHAME NKUU AGRICULTURAL MARKETING AND CO-  
OPERATIVE SOCIETY LIMITED**

**AND**

**MACJARO LIMITED**

**Drawn by:-**

Adv. Engelberth Boniphace (Esq.)  
P.O Box 27  
Hai - Kilimanjaro



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**LEASE AGREEMENT**

This lease agreement has been entered today on the 30 day of 01 2019

**BETWEEN**

**MACHAME NKUU AGRICULTURAL MARKETING AND CO-OPERATIVE SOCIETY LIMITED** of P.O. BOX 659, MOSHI- KILIMANJARO being a registered Cooperative Society under The Cooperative Societies Act, No.1 of 2013 the same being registered with Registration Number KR 2933 (Hereinafter referred to as "THE LESSOR") which expression, in so far as the context admits, includes assigns, representatives, heirs and successors in title on one hand;

**AND**

**MACJARO LIMITED** of P.O. Box 282, Moshi- Tanzania and a duly registered limited company under the Companies Act, Cap. 212 R.E 2002. Certificate of Incorporation No: 139482; Date of incorporation 21/11/2017 (Hereinafter be referred to as 'THE LESSEE') which expression, in so far as the context admits, includes assigns, representative, heirs and successors in title on the other hand.

**RECITALS:**

**WHEREAS:** the Lessor, being the registered proprietor of the right of occupancy and or title deeds for the Properties in the Leased Land is desirous of leasing the Properties as a suitable economic activity and to encourage personnel capacity building;

**WHEREAS:** the Lessor being a registered proprietor of the Properties through its powers invested in the Board of Directors of the Lessor has hereto agreed to lease the Properties for economic activities as shall be well stipulated in this lease agreement;

**WHEREAS:** The Lessee is interested in developing the Lessor's Properties for the period of time as shall be agreed in this lease agreement.

**WHEREAS:** The Lessee wishes to lease the Lessor's Properties and the Lessor on the other is willing and consented thereto to lease the Properties to the Lessee, and in each case in accordance with the terms and conditions stipulated in this lease agreement.

**AND WHEREAS;** both the Lessor and Lessee have chosen to define their obligations in the execution of this lease agreement through the terms and conditions set forth in this agreement.

Certified True Copy of the Original  
Sign: [Signature] Date: [Date]  
NDANU PIUS LEOPOLD, Notary Public & Commissioner for Oaths

[Signature] [Signature]

NOWHEREFORE, BOTH PARTIES TO THIS LEASE AGREEMENT HAVE PUT THEIR HANDS TOGETHER AND HAVE AGREED ON THE FOLLOWING TERMS AND CONDITIONS AS SET FORTH AS FOLLOWS:-

**1. DEFINITION OF TERMS**

"Agreement/Contract" Means the terms and conditions entered between the Lessor and Lessee of this lease agreement;  
"Contract Period" Means the time limit set and agreed by the parties in this agreement and any time as shall be set forth in this agreement for performance of a certain activity;  
"Development Plan" Means a written plan to be prepared by the Lessee and to be approved by the Lessor and shall at all times provide the means, methods and or but not limited to the resources employed by the Lessee in developing the Properties in a manner which optimizes production;  
"Equipment" Means existing machines used by the Lessee to simplify its works in the performance of its obligations in management of the Properties.  
"The Properties" Means the land, together with all the buildings that pertains to the remaining of Certificate of Titles Nos. ....measuring 300 acres in respect Mkufi Estate and the same having a description of location as indicated and explained in certificate of Title and as shall be defined in *Schedule 1*

**2.0 THE LEASE**

- 2.1 Subject to the terms and conditions of this lease agreement, the Lessor does hereby lease the Properties and Equipment to the Lessee for a consideration to be stipulated in this lease agreement.
- 2.2 The Lessee does hereby agree to take the Properties from the Lessor on the terms and conditions stipulated hereinafter in this lease agreement.
- 2.3 This lease agreement shall be binding to the parties in this lease agreement only.

**3.0 LEASE PERIOD**

- 3.1 The lease agreement period shall be duration of thirty (30) years effective from the 1<sup>st</sup> February, 2019 to 31<sup>st</sup> January, 2049, subject to any renewal of the lease agreement, if the need arises.
- 3.2 The extension of the term for the lease agreement shall commence from the expiration of the initial term and otherwise shall contain like covenants of renewal.
- 3.3 Any renewal pursuant to this clause 3.0 shall be treated as a continuation of the initial term for all purposes of this agreement, including (without limitation) for the purpose of handing over assets at the end of the term.

Certified True Copy of the Original  
Sign: *[Signature]* Date: *[Date]*  
NDANU PIUS LEOPOLD, Notary Public & Commissioner of Oaths

*[Signature]* *[Signature]*

**23 FINANCING AND BORROWING:**

The Lessor grants the Lessee consent to seek for financing from financial institutions and pledge this lease agreement as security threat, provided always that, such security documents shall not include the Certificates of Titles of the Properties. The Lessor agrees to execute any and all documents to facilitate the same.

**24 LEGAL COSTS**

24.1 Each Party to this lease agreement shall bear its own legal costs in respect of the drawing, reviewing and endorsement of the lease agreement and the transactions contemplated herein.

24.2 The Lessor and Lessee shall cause Advocates to be paid all the necessary fees for the drawing and endorsing this lease agreement.

24.3 The modality for paying such a fee shall be arranged by both the Lessor and Lessee respectively on the date of signing this lease agreement.

That, both parties to this agreement have set forth their hands and agreed to enter in this lease agreement and witnesses the same by signing this agreement as follows: -

**FOR AND ON BEHALF OF THE LESSOR**

Signed, sealed and delivered by

**M/S MACHAME NKUU CO-OPERATIVE  
JOINT ENTERPRISES LIMITED**

Before us on this 30 day of 01, 2019

Name: ISAIAH ELINGAYA SHOO

Signature: [Handwritten Signature]

Date: 30/01/2019

Position: **THE CHAIRMAN**

Name: WALTER MARKO SHOO

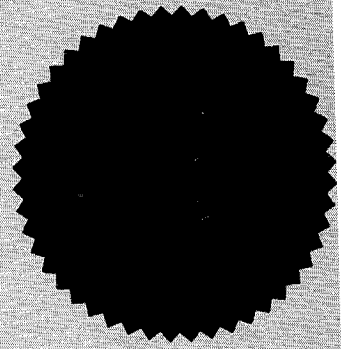
Signature: [Handwritten Signature]

Date: 30/01/2019

Position: **THE SECRETARY**

[Handwritten Signature]

[Handwritten Signature]



Certified True Copy of the Original  
Sign: [Signature] Date: 16/07/2020  
NDANU PIUS LEOPOLD, Advocate  
Notary Public & Commissioner for Oaths

[Handwritten Signature]

ENGELBERTH B. W. ...  
P.O. Box 22, ...

*[Handwritten signature]*

Name... SIMON KUNDASEN SHOO

Signature... *[Handwritten signature]*

Date... 30/01/2019

Position: 1<sup>ST</sup> MEMBER OF THE BOARD

Name... ALEX OBIED SHOO

Signature... *[Handwritten signature]*

Date... 30/01/2019

Position: 2<sup>ND</sup> MEMBER OF THE BOARD

Name... NOEL ABU LEMAH

Signature... *[Handwritten signature]*

Date... 30/01/2019

Position: 3<sup>RD</sup> MEMBER OF THE BOARD

Name... JULIUS JOSEPHATH MARCUS

Signature... *[Handwritten signature]*

Date... 30/1/2019

Position: 5<sup>TH</sup> MEMBER OF THE BOARD

Name... HAPTEL KUNDAMEL URASSA

Signature... *[Handwritten signature]*

Date... 30/01/2019

Position: 6<sup>TH</sup> MEMBER OF THE BOARD

IN THE PRESENCE OF

Name... WILLIAMU-ABINADABU SHOO

Signature... *[Handwritten signature]*

Address... 659

Date... 30/1/2019

Certified True Copy of the Original  
Sign: *[Signature]* Date: 16/02/2019  
NDANU PIUS LEOPOLD, Advocate  
Notary Public & Commissioner for Oaths

*[Handwritten signature]*

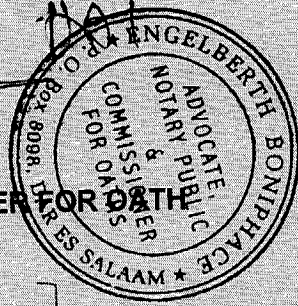
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*[Handwritten mark]*

ENGELBERTH BONIPHACE  
P.O. Box 27

*[Handwritten signature]*



Position: **ADVOCATE AND COMMISSIONER FOR OATHS**  
**FOR AND ON BEHALF OF THE LESSEE**

Signed, sealed and delivered by

**MACJARO LIMITED**

Before us on this 30 day of Jan 2019

Name JAMES RICHARD POWELL

Signature *[Handwritten signature]*

Date 30/1/2019

Position: **DIRECTOR**

Name ELIZABETH POWELL

Signature *[Handwritten signature]*

Date 31-1-2019

Position: **COMPANY SECRETARY**

That, this Lease Agreement has been approved by the Assistant Registrar/Registrar of Cooperative Societies, Kilimanjaro Region

Name .....

Signature .....

Date .....

Position: **ASSISTANT REGISTRAR/REGISTRAR OF CO OPERATIVE SOCIETIES**

**Macjaro Limited**  
**P. O. Box 282, MOSHI**

Certified true copy of the Original  
Sign: *[Handwritten signature]* Date: 12/08/2020  
**NDANU PIUS LEOPOLD, Advocate**  
**Notary Public & Commissioner for Oaths**

*[Handwritten signature]*

*[Handwritten signature]*

*[Handwritten signature]*

*[Handwritten signature]*