

CERTIFICATE OF OCCUPANCY

(Issued under Section 9 of the Land Ordinance)

Date of Issue:

Title Number: 42440

Land Office Number: 142593.

Land: PLOT NO. 7 AMANI GOMVU DAR ES SALAAM CITY.

Term: NINETY NINE YEARS.

UNITED REPUBLIC OF TANZANIA

MINISTRY OF LANDS AND HUMAN SETTLEMENTS DEVELOPMENT

LAND REGISTRY

P. O. Box 1191,

DAR ES SALAAM.

Telegrams: "LANDS"

Telephone: 2121241-9

In reply please quote:



Ref. No: LR/S/42440/7.

18 March 2004

RE: THE LAND REGISTRATION ORDINANCE (CAP.334)

Approval of Variation of Conditions

I have the honour to refer to your letter No. LR 66 dated 1.3.04 and enclosures thereto.
I return herewith Certificate of Title No. 42440 the above mentioned document
having been effected under F.D. No. 108630
Please acknowledge receipt of the enclosures hereto.

ENCLOSURES:

Copy of Variation of
Conditions f
CI. NO. 42440

I am,
Sir/Madam/Gentlemen,
Your Obedient Servant,


REGISTRAR OF TITLES

To: Commissioner for
Lands,
Box 9230 Dsm.

THE LAND ACT, 1999
(NO. 4 OF 1999)

APPROVAL OF VARIATION OF CONDITIONS
OF A RIGHT OF OCCUPANCY
(Under Section 35 (4))

C.T. NO. 42440
L.O. NO. 166137
L.D.NO. 142593.

WE, **ALBERT ADIEL MSANGI**, Commissioner for Lands of P.O. Box 9230 Dar es Salaam and **KUTANI LIMITED** of P.O. Box 1192 Dar es Salaam **DO HEREBY AGREE** to the following variation of conditions of a Right of Occupancy registered under the above reference.

- (i) **THAT** the words and figures appearing in condition No.6 of the Certificate of Occupancy registered under the above reference be deleted and replaced by the words "the land shall be used for Plant and Animal Husbandry Use Group 'R' use classes (a), (b), (c), (d) and (j) as defined in the Town and Country Planning (Use Classes) Regulations, 1960 as amended in 1993.
- (ii) **THAT** the words appearing in condition 1 of the Certificate of Occupancy registered under the above reference be deleted and replaced by the words and figures "the occupiers shall thereafter pay rent of shillings **thirty six thousand (T.Shs. 36,000/=)** a year in advance on the first day of July in every year.

SEALED with the COMMON SEAL of the said
KUTANI LIMITED and DELIVERED in the)
presence of us this 22 day of JANUARY)
2004.)

Signature:.....)
Postal Address: Box 1192)
DAR ES SALAAM)
Qualification: DIRECTOR)
Signature:.....)
Postal Address: Box 1192)
DSM)
Qualification: SECRETARY)



SIGNED and DELIVERED by the said)
ALBERT ADIEL MSANGI who is known to)
to me personally in my presence this)
day of Feb 19th)
2004.)

Signature: [Signature])

Postal Address: Box 9230 Dar es Salaam)

Qualification: Senior Land Officer)

[Signature]

FILED DOCUMENTS ON 108630
REGISTERED 1.3.04
AT 11.00 AM

[Signature]
Senior Asst Registrar of Titles



391 303
Date

YANGANYIKA STAMP DUTY ACT,
Stamp Duty Shs. 100/= Paid
on Receipt No. 20117825
of 9.2.04.

[Signature]
Stamp Duty Officer

YANGANYIKA STAMP DUTY ACT,
Stamp Duty Shs. 500/= Paid
on original Receipt No. 20117825
of 9.2.04.

[Signature]

TITLE No. 42440

REGISTERED 14.9.93

Land Form 32

At 12:45 P.M

Senior Asst. Registrar of Titles



L.O. No. 142593.

L.D. No. 166.137.

THE UNITED REPUBLIC OF TANZANIA

CERTIFICATE OF OCCUPANCY

(Section 9 of the Land Ordinance)

The

Ningelt

day of

September

One thousand

nine hundred and ninety three

TITLE No. 42440

THIS IS TO CERTIFY that KUTANI LIMITED a limited liability Company incorporated here in Tanzania under the Companies Ordinance Cap 212 and having its registered office in Dar es Salaam of P.O. Box 1192 DAR ES-SALAAM.

(hereinafter called "the Occupier") is entitled to a Right of Occupancy (hereinafter called "the Right") in and over the Land described in the Schedule hereto (hereinafter called "the Land") as joint tenants/as tenants in common in equal shares for a term of ninety nine years from the first day of

July One thousand nine hundred and ninety three according to the true intent and meaning of the Land Ordinance and subject to the provisions thereof and to any regulations made thereunder and to any enactment in substitution therefor or amendment thereof and to the following special conditions:-

1. The Occupier having paid rent up to the thirtieth day of June, 1994, shall thereafter pay rent of shillings ~~one hundred and twenty~~ Thirty six thousands (Tshs. 36,000/=) a year in advance on the first day of July in every year of the term without any deduction PROVIDED that the rent may be revised by the Minister for the time being responsible for Lands (hereinafter called "the Minister") on the first day of July in each of the years 2003, 2013, 2023, 2033, 2043, 2053, 2063, 2073 and 2083 or within three years thereafter in each case.

RD. 10862 JRN/SAN

- 2. The Occupier shall: (i) Erect on the land buildings... (ii) By the thirty first day of December 1993, submit to the Authority such plans... (iii) Within six months from the date of notification... (iv) Complete the buildings according to the plans... (v) At all times during the term after the thirtieth day of June 1994, have on the land buildings as approved...

TANGANYIKA STAMP DUTY ACT. Stamp Duty Shs. 100/= Paid on original Receipt No. 583991 of 4.8.93 Issued by [Signature] Stamp Duty Officer

TANGANYIKA STAMP DUTY ACT. Stamp Duty Shs. 6340/= Paid on original Receipt No. 583991 of 4.8.93

- (vi) Not erect or commence to erect on the land any building except in accordance with building plans and specifications which shall have been first approved by the Authority as hereinbefore provided;
- (vii) Be responsible for the protection of all beacons on the land throughout the term of the Right. Missing beacons will have to be re-established at any time at the Occupier's expenses as assessed by the Commissioner for Surveys and Mapping.

Approval of plans of any building by the Authority shall not imply that the construction of such a building will satisfy the Occupier's obligation under the conditions of the Right and shall not imply waiver of modification of any condition in the Right.

3.—(i) The Occupier shall not subdivide the land or assign, sublet or otherwise dispose of or deal with the whole or any part of it or of any building on it without the previous written consent of the Commissioner PROVIDED that after condition 2(iv) has been complied with by the Occupier the consent of the Commissioner shall not be necessary:—

to a single sub-letting of the whole of the land where the sub-lease contains conditions sufficient to ensure compliance with the conditions of the Right;

to a sub-letting of the whole of the land or of the whole or any part of any building on it where the sub-lease contains conditions sufficient to ensure compliance with the conditions of the Right.

(ii) Occupation or use of the whole or any part of the land of buildings on it by any person other than the Occupier or its employees agents contractors or members of the household shall be deemed a dealing with the land or buildings.

4. Except as hereinbefore provided the Commissioner shall have an absolute discretion to give or withhold consent under condition 3(i). Any dealing or agreement (other than a mortgage or charge) entered into before compliance with condition 2(iv) will not receive consent except in special circumstances of which the Commissioner shall be the sole judge.

5. The Occupier shall pay to the Minister on demand made by the Commissioner on his behalf:—

- (i) any further fees or stamp duties which may be discovered to be payable by the Occupier in connection with the Right;
- (ii) an amount equal to any contribution in lieu of rates which may be payable by Government for the land during the term of the Right;
- (iii) such sum as the Commissioner shall assess as a proper share payable for the land of the cost of making up the road or improvement of same upon which the land fronts, abuts or adjoins, whether such demand is made before during or after such making or improvement thereof. This condition does not oblige the Government to make or improve roads.

6. Only one main building together with the usual and necessary out buildings shall be built on the land and the same be used for ~~Tourist Hotel~~ ^{plant and animal husbandry} Use Group '8' Use Classes (c), (d) and (e) as defined in the Town and Country planning (use classes) Regulations, 1960. ^{as amended in 1993.}

7. The President may revoke the Right for good cause and in public interest.

FD-108630

JRN/SART

(j)

SCHEDULE

All that land known as Plot No. 7 at Amani Gomvu Dar es Salaam City containing two point eight one eight hacters square feet shown for identification only edged on the plan attached to this Certificate and defined on the registered survey plan numbered 26513 deposited at the Office of the Commissioner for Surveys and Mapping at Dar es Salaam.

GIVEN under my hand and seal and by Order of the Minister the day and year first above written.




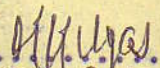
COMMISSIONER FOR LANDS

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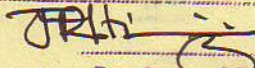
We, the within named KUTANI LIMITED hereby accept the terms and conditions contained in the foregoing Certificate of Occupancy.

SEALED WITH THE COMMON SEAL of the said KUTANI LIMITED and DELIVERED in the presence of us this 2nd day of September 1993.

Signature: 
Postal Address: ... Box 1192 ...
..... DAR ES SALAAM
Qualification: ... DIRECTOR

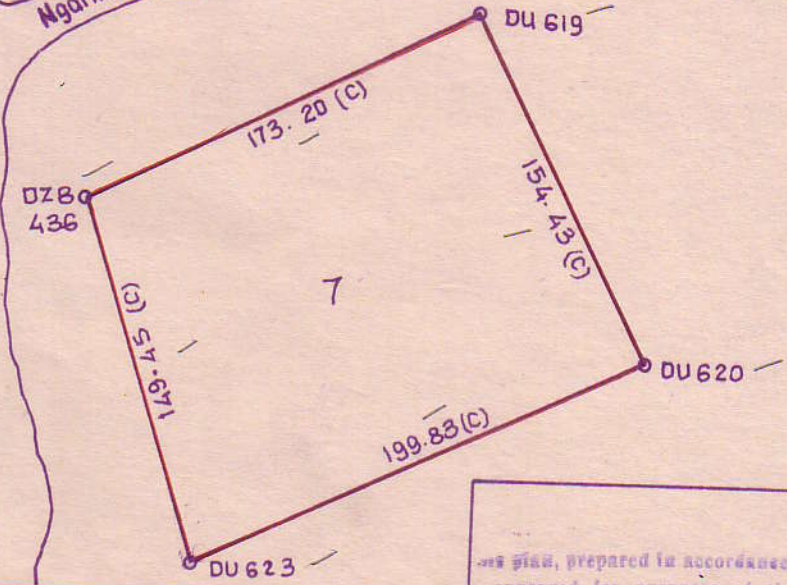
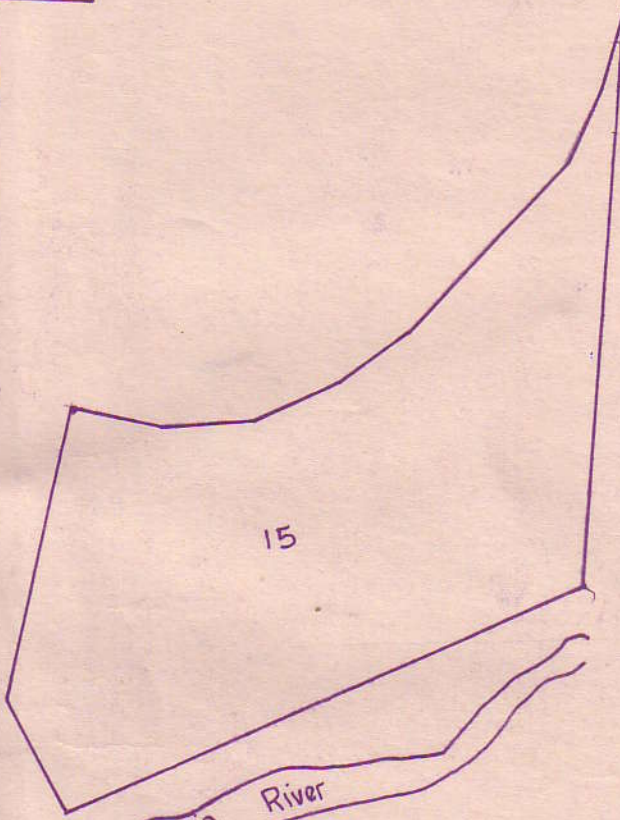
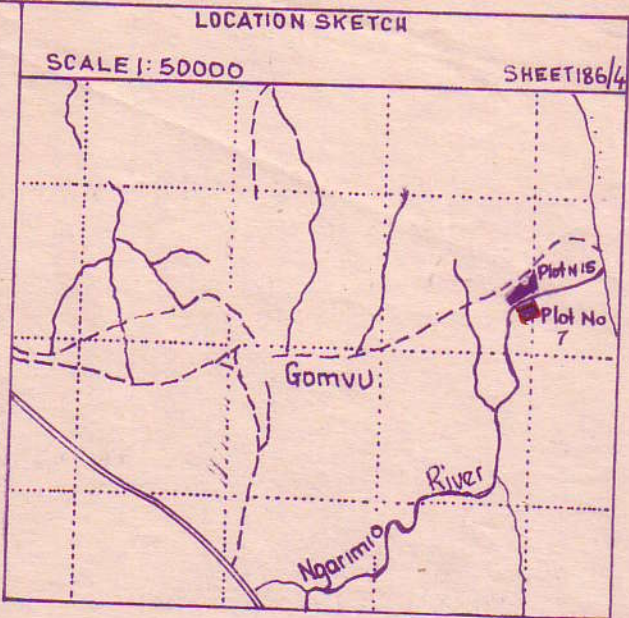
Signature: 
Postal Address: P.O. BOX 1192 ...
..... DAR ES SALAAM
Qualification: ... DIRECTOR



LAND REGISTRY DAR-ES-SALAAM
DEED OF VARIATION
Document no 108630
Date of registration 1.3.04 time 11.00A m
to TERMS AND CONDITIONS OF
RIGHT OF OCCUPANCY VARIED.

Senior Registrar of Titles

DAR ES SALAAM CITY

LOCATION AMANI GOMVU
Plot No. 7
Area 2.818 Ha



This plan implies no guarantee
 by the Government

This plan, prepared in accordance with Registered plan No 26513
 approved for purposes of the Land Registration Ordinance.
 Director of Surveys and Mapping *[Signature]* Date 29/05/95
 Ministry of Lands, Housing and Urban Development, Dar es Salaam