

**TANGANYIKA**

***The Land Registration Ordinance (Cap. 334 of the Laws)***



**CERTIFICATE OF TITLE TO RIGHT OF OCCUPANCY**

**ISSUED UNDER SECTION 39**

**Certified true copy of**  
This is to certify that the annexed Certificate of Occupancy dated

the **Fourteenth** day of **June, 1940** ~~30~~.....

is registered in the Land Registry under Title No. **5134**

Copies of the subsisting entries in the register are within

Dated the **Seventh** day of **September, 2020**.....



**Asst. Registrar of Title**

Title No. **5134**

Description of registered land

**ALL THAT** piece or parcel of land situated at **Ngare-Nairobi** in the District of **Moshi** containing approximately **Five thousand one hundred and seventy (5170)** acres or thereabouts being farm No. **363 E.P. Lot 701** as delineated and edged in red on survey Plan No. **E5 66/1/3168** attached to enclosed certified true copy of Certificate of Occupancy annexed hereto.

ENTRIES IN THE REGISTER

TITLE NO. 5134

No. 23311 Registered 22.05.2008 at 11.00am  
To TANGANYIKA FILM AND SAFARI  
OUTFITTERS LIMITED of P.O.Box  
49, ARUSHA.



Asst. Registrar of Titles

No. .... Registered ..... at ..... m

To .....

Asst. Registrar of Titles

CAVEAT

~~No. 52626 Registered 26.08.2019 at 1.00pm  
BY: ERIC SIKHJUA NG MARYO of  
P.O.Box PRIVATE BAG, MOSHI.~~

~~WITHDRAWN~~

~~CD NO. 5113~~

~~ASS REG OF TITLE~~



Asst. Registrar of Titles

No. .... Registered ..... at ..... m

To .....

Asst. Registrar of Titles

No. .... Registered ..... at ..... m

To .....

Asst. Registrar of Titles

No. .... Registered ..... at ..... m

To .....

Asst. Registrar of Titles

No. .... Registered ..... at ..... m

To .....

Asst. Registrar of Titles

No. .... Registered ..... at ..... m

To .....

Asst. Registrar of Titles

TANGANYIKA TERRITORY

Land Registry Ordinance (Cap. 70 of the Laws)



RIGHT OF OCCUPANCY

CERTIFICATE OF TITLE TO [REDACTED] LAND

RIGHT OF OCCUPANCY

This is to certify that the [REDACTED] land hereinafter described is registered in the Land Registry under title No. **5134**.  
Copies of the subsisting entries in the register are within.

Dated the **Fourteenth** day of **June**, 19**40**.

Assistant Registrar of Titles

Title No. **5134** Description of registered land:

ALL THAT piece or parcel of land situated at Ngare Nairobi in the District of Moshi containing approximately five thousand one hundred and seventy (5170) acres as delineated and described on the Survey Plan No. **ES 68** annexed to the enclosed Crown Grant.  
**5168**

CERTIFIED TRUE COPY

Asst. Registrar of Titles

Date **07/09/2012**

ENTRIES IN THE REGISTER

TITLE No.

Ref. No. of filed document	Date of Registration	Nature of entry	Initials of Registrar
		<p><b>FREEHOLD TITLE</b></p> <p>No. — Registered 14.6.40 at NOON m</p> <p>To <u>AMY MARGARET PHELPS and ANNIE WEBB of Ngare-Nairobi</u> —</p> <p><i>[Signature]</i> Asst Registrar of Titles</p>	
		<p><b>TRANSFER OF PART</b></p> <p>No. 7109 Registered 12-8-46 at 2 P. m</p> <p>To <u>Mrs. EVELYN MARY DE LUIGI</u></p> <p>of Ngare-Nairobi of 1012 acres, being Farm No. 363/1, Cons. Shs. 60,000/-</p> <p>See Title No. 5996,</p> <p><i>[Signature]</i> Asst Registrar of Titles</p>	
		<p><b>CHANGE OF OWNERSHIP</b></p> <p>No. 8730 Registered 2-10-48 at 11 a. m.</p> <p>To <u>ALEXANDER REID of Moshi</u>, as legal personal representative of <u>MRS. ANNIE WEBB, deceased</u>, registered as owner of the land.</p> <p><i>[Signature]</i> Asst. Registrar of Titles</p>	
		<p><b>CHANGE OF OWNERSHIP</b></p> <p>No. 7107 Registered 12-8-46 at 2 P. m</p> <p>To <u>Mrs. AMY MARGARET PHELPS</u>, as legal personal representative of <u>EUSTACE ALBERT PHELPS, deceased</u>, registered as owner of the Mortgage-F.D. 4889.</p> <p><i>[Signature]</i> Asst Registrar of Titles</p>	
		<p><b>TRANSFER</b></p> <p>No. 11688 Registered 14.5.51 at 4 P. m</p> <p>To <u>ENDRAGUAI LIMITED</u></p> <p>Cons. Shs. 170,000/-</p> <p><i>[Signature]</i> Asst Registrar of Titles</p>	
		<p><b>PARTIAL RELEASE OF F.D. 4189.</b></p> <p>No. 7108 Registered 12-8-46 at 2 P. m</p> <p>By <u>Mrs. AMY MARGARET PHELPS</u>, as legal personal representative of <u>EUSTACE ALBERT PHELPS, deceased</u>, of 1012 ACRES, being Farm No 363/1, Moshi.</p> <p><i>[Signature]</i> Asst Registrar of Titles</p>	

G P Dam 39848

CERTIFIED TRUE COPY

Asst. Registrar of Titles

Date 07/09/2022



IN WITNESS whereof the Governor has hereunto set his hand and caused  
the Seal of the Tanganyika Territory to be affixed hereto and the Grantees  
have ~~been~~ hereunto set ~~his~~ <sup>their</sup> hands.

A to M.P.  
3<sup>rd</sup> May

Signed and delivered by the Governor of  
Tanganyika Territory and the Seal of  
the Territory affixed this eight  
day of May 1940  
in the presence of:

Mark King



D. Daniels.  
Private Secretary.

Signed and delivered by the said  
Amy Margaret Phelps who  
is able to read and  
write the language in  
which the above written  
document is written this  
11 day of February  
1940 in the presence of:

Margaret Phelps

Dunn Nutt

Signed and delivered by the  
said Annie Webb who is able  
to read and write the  
language in which the above  
written document is written  
this 11 day of  
February 1940 in the  
presence of:

Annie Webb

Dunn Nutt

Dunn Nutt

TANGANYIKA TERRITORY  
Stamp Duty Shillings 260/- paid and  
Revenue Receipt No. 9985M of 28.12.1936  
Issued by De. Mushi  
for Land Officer.

G F Dem 40225

CERTIFIED TRUE COPY

Dist. Registrar of Titles  
Date 07/09/2022

TANGANYIKA TERRITORY

The Land Ordinance (Cap. 68 of the Laws)

Title No. 5124

THIS DEED made the 1st day of June

One thousand nine hundred and forty

BETWEEN the Governor of Tanganyika Territory (hereinafter called "the Governor," which term includes the officer for the time being administering the Government of the Territory) of the one part, AND ALY MARGARET PHILIPS and ANNIE WEBB both of Ngare Nairobi in the District of Moshi

(hereinafter called "the Grantee's which expression shall include their heirs, executors and assigns where the context so admits) of the other part;

WHEREAS the Grantee's are entitled to the residue unexpired of a lease with option of purchase dated the sixteenth day of October one thousand nine hundred and ten

and granted by the Landesfiskus of German East Africa to L. Illich

over the land therein comprised and hereinafter more particularly described;

AND WHEREAS the Grantee's having complied with certain contractual obligations under the aforesaid lease with option of purchase and having paid the purchase price, are now entitled to an estate in fee simple in respect

of the land hereinafter described; NOW THIS DEED WITNESSETH that in pursuance of the terms of the said lease with option of purchase and in consideration of the sum of Shillings twelve thousand five hundred and fifty three and cents eighteen (Shs.12,553/18)

Handwritten notes and signatures on the left margin, including 'hpa 45', '27.10.40', and 'A. Webb'.

Handwritten notes and signatures on the left margin, including 'A. Webb' and '27.10.40'.

CERTIFIED TRUE COPY

Asst. Registrar of Titles

Date 07/09/2002



paid by the Grantees to the Governor on or before the execution of these presents (the receipt whereof the Governor hereby acknowledges) and by virtue of the provisions of section 20 (a) of the Land Ordinance aforesaid the Governor hereby grants unto the Grantees ALL that piece or parcel of land situated at Ngare Nairobi in the District of Moshi - - - -

containing approximately five thousand one hundred and seventy (5170)

acres as delineated and described on the Survey Plan No. E. 53168<sup>66</sup> annexed

to these presents and thereon edged with red To HOLD the same unto and to the use of the Grantees in fee simple <sup>as tenants in common</sup> PROVIDED ALWAYS that the Grantees

shall at any time on demand of the Governor and on receipt of a proportionate part of the original purchase price of Shillings Twelve thousand five hundred and fifty three and cents eighteen (Shs.12,553/18)

and on payment of compensation for expenditure in so far as the value of the land shall have been increased thereby surrender and yield up such portion or portions of the said land as shall be required for (a) the construction of railways, streets, roads, telegraph lines, canals and other public works whatsoever including such protective strips as may be deemed necessary (b) the cutting of drainage ditches and any measures deemed necessary to promote the flow of water from higher levels to lower levels (zur Schaffung der Vorflut) (c) the raising and storage of any necessary material—such as earth and stone—and the dumping on the said land of material raised elsewhere and required for the said public works even when such works are constructed only alongside of or abut on the boundary of the said land and the provision thereto of the necessary roads of access and PROVIDED ALSO that no water rights in respect of the said land are conferred by these presents AND PROVIDED ALSO that the Grantees shall keep open for public traffic all existing roads and also at the request of the Governor roads made by the Grantees in so far as they traverse the said land:

CERTIFIED TRUE COPY

Asst. Registrar of Titles  
Date 07/09/2022

ENTRIES IN THE REGISTER

TITLE No. 5134

Ref. No. of filed document	Date of Registration	Nature of entry	Initials of Registrar
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**CHARGE**

No. 12794 Registered 11<sup>2</sup>/<sub>52</sub> at 2:45 p.m.  
 TO THE LAND BANK OF TANGANYIKA  
 to secure shs. 75,000/-  
 Proof of compliance with the provisions of the Companies Ordinance 5:79 has not been produced. Discharged FD 1142 14.5.59 at 10 a.m. Registrar of Titles

**ENDORSEMENT CANCELLED**  
 NATIONAL AND GRINLAYS BANK LIMITED  
**ENDORSEMENT CANCELLED**  
 Asst. Registrar of Titles

Further

**CHARGE**

No. 14387 Registered 9.1.53 at 2 p.m.  
 TO THE LAND BANK OF TANGANYIKA  
 to secure shs. 75,000/-  
 Proof of compliance with the provisions of the Companies Ordinance 5:79 has not been produced. Discharged FD 29186 on 21.5.59 at 11:30 a.m. Registrar of Titles

**TRANSFER**

No. 38105 Registered 18.6.62 at 11:30 a.m.  
 To SIMBA LIMITED.  
 Cons. Shs. 177,920/-  
 [Signature]  
 Asst. Registrar of Titles

**MORTGAGE**

No. 29144 Registered 14.5.59 at 10 a.m.  
 TO THE OTTOMAN BANK  
 To secure advances not exceeding shs. 860,000/- (including title No. 5584 & 10100) FD 38105  
 [Signature]  
 Asst. Registrar of Titles

**MORTGAGE**

No. 39541 Registered 24.4.64 at 8:30 a.m.  
 TO OTTOMAN BANK  
 TO SECURE NOT EXCEEDING SHS 150,000/-  
 [Signature]  
 Asst. Registrar of Titles

**TRANSFER**

No. 35999 MORTGAGE FD 29144 of 20.9.61 at 8 p.m.  
 NATIONAL AND GRINLAYS BANK LIMITED.  
 Cons. Shs. 1,386,204/85 FD 38105  
 [Signature]  
 Asst. Registrar of Titles

**TRANSFER OF MORTGAGE**

F.D. 39541  
 No. 45865 Registered 2.3.66 at 10:45 a.m.  
 TANZANIA BANK OF COMMERCE LIMITED.  
 [Signature]  
 Asst. Registrar of Titles

CERTIFIED TRUE COPY  
 Asst. Registrar of Titles  
 Date 07/09/2012

LAND REGISTRY, MOSHI  
CHANGE OF OWNERSHIP (SECTION 71)

Filed Document No. 6756

Date of registration 7-2-92 time 8:00 a.m.

To TANZANIA BREWERIES LIMITED  
of P.O. Box 9013, Dar es Salaam

*[Signature]*  
Asst. Registrar of Titles

LAND REGISTRY, MOSHI  
TRANSFER

Filed Document No. ....

Date of registration .....

**ENDORSEMENT  
CANCELLED**

Asst. Registrar of Titles

LAND REGISTRY, MOSHI  
EFFECT OF VARIATION

Filed Document No. 15917

Date of registration 16-6-2008 time 11:00 a.m.

TERM AND CONDITIONS OF RIGHT OF OCCUPANCY VARIED including USER: Use Group R Plant and Animal Husbandry Use class (a) (b) (c) and (d), Use Group C Special Residential Buildings Use class (c) and (e)

*[Signature]*  
Asst. Registrar of Titles

LAND REGISTRY, MOSHI  
CAVEAT

Filed Document No. 52626

Date of registration 26-8-2019 time 1:00 p.m.

By ERIC VIKUJUA NG'MARYO  
To OF POST OFFICE PRIVATE BAG  
MOSHI.

*[Signature]*  
Asst. Registrar of Titles

LAND REGISTRY, MOSHI  
CAVEATE

Filed Document No. 16923

Date of registration 22-4-2008 time 7:00 P.M.

BY TANZANIA BREWERIES LIMITED of P.O. Box 9013 DAR-ES-SALAAM.

*[Signature]*  
Asst. Registrar of Titles

MEMORANDUM.

THE ORIGINAL CERTIFICATE OF TITLE HAS BEEN LOST AND A NEW CERTIFICATE OF TITLE HAS BEEN ISSUED IN THE PREMISES OF SECTION 39 OF CAP. 308 IN LIEU THEREOF.

DATE OF ISSUE 07-09-2022 SENIOR ASST. REGISTRAR OF TITLES

MEMORANDUM.

The caveat under Filed Document No. 52626 forgotten to be signed by the previous Asst. Registrar of Titles. Therefore I signed it in that capacity.

*[Signature]*  
Asst. Registrar of Titles  
8th Sept 2022

LAND REGISTRY, MOSHI  
TRANSFER

Filed Document No. 23311

Date of registration 22-5-2008 time 11:00 A.M.

TANGANYIKA FILM AND SAFARI OUTFITTERS LIMITED of Box 49, Arusha (CONS. USD 200,000/-).

*[Signature]*  
Asst. Registrar of Titles

CERTIFIED TRUE COPY

*[Signature]*  
Asst. Registrar of Titles  
Date 07/09/2022

Stamp Duty Shs. 500/- Paid

and Revenue Receipt No. 92224112872080  
of 29-08-2022 Issued.

*[Signature]*  
Asst. Registrar of Titles