

TANZANIA

CERTIFICATE OF OCCUPANCY

(Issued under section 9 of the Land Ordinance)

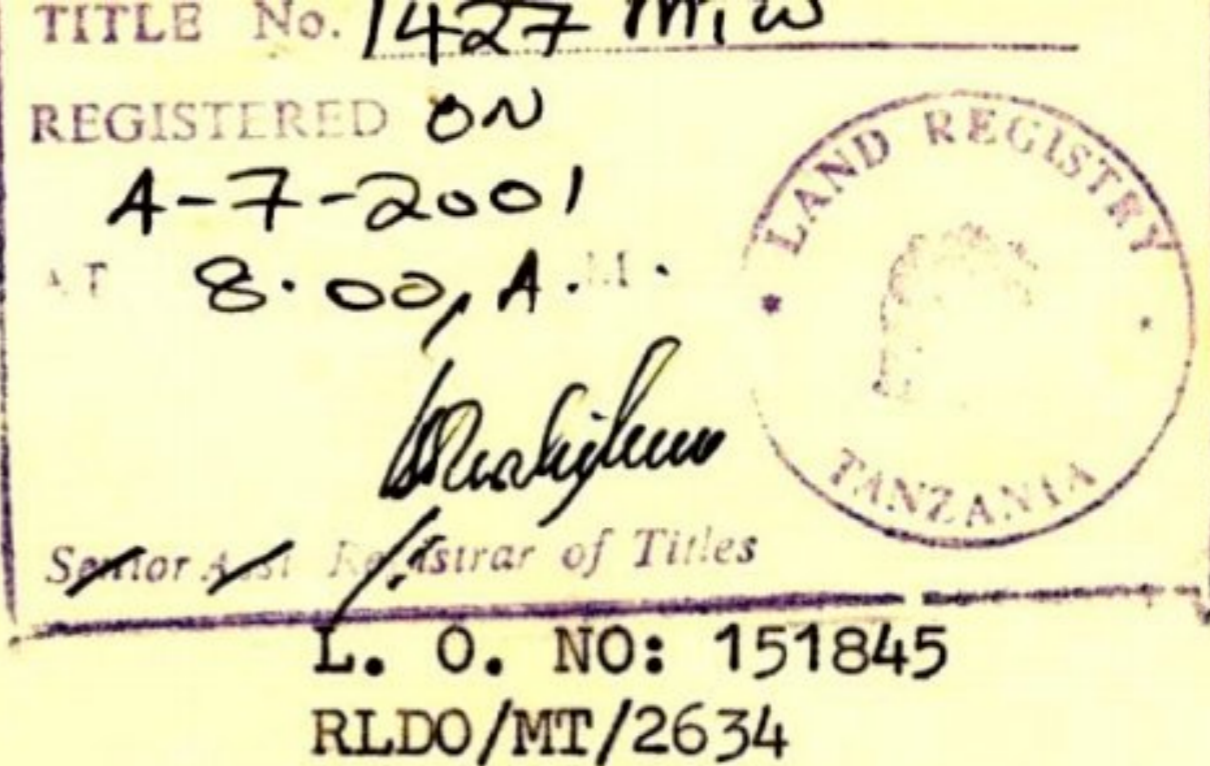
Date of Issue:

Title Number: 1427 MTW

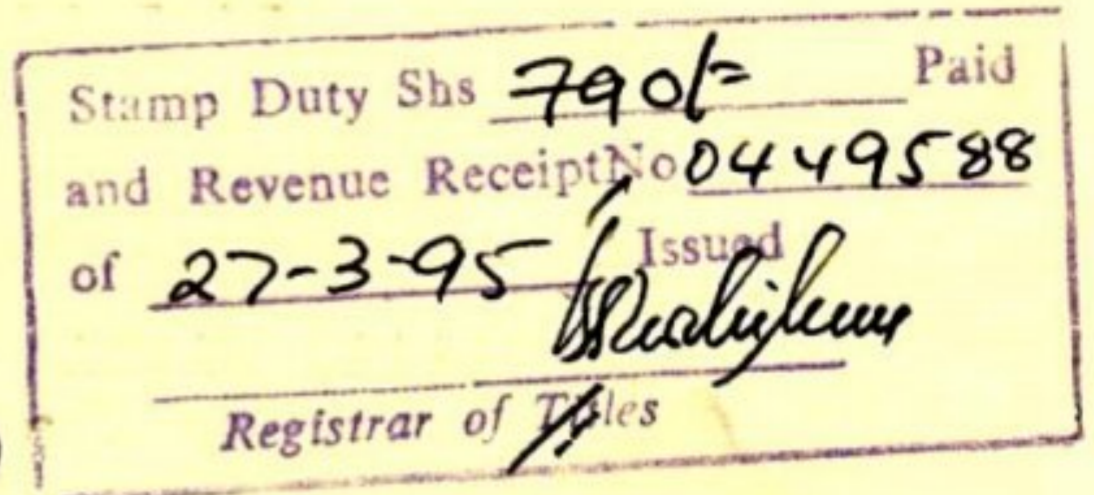
Land Office Number: 151845.

Land: PLOT. NO. 3 INDUSTRIAL AREA MTWARA TOWNSHIP.

Term: NINETY NINE YEARS.



THE UNITED REPUBLIC OF TANZANIA
CERTIFICATE OF OCCUPANCY
(Section 9 of the Land Ordinance)



The First day of June
^{Two}
~~One~~ thousand ~~nine~~ hundred and ~~ninety five~~, one Ageu
Title No. 1427 M/W

THIS IS TO CERTIFY that CALTEX OIL (TANZANIA) LIMITED OF P. O. BOX 9104, DAR ES SALAAM a body corporate incorporated under the Companies Ordinance (Cap.212) (hereinafter called "the Occupiers") are entitled to a Right of Occupancy (hereinafter called "the Right") in and over the Land described in Schedule hereto (hereinafter called "the Land") for a term of ninety nine years from the first day of January One thousand nine hundred and ninety five 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 occupiers having paid rent up to the thirtieth day of June, 1996, shall thereafter pay rent of Shillings fifteen thousand five hundred and sixty (Shs.15,560/=) 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 2005, 2015, 2025, 2035, 2045, 2055, 2065, 2075 and 2085 or within three years thereafter in each case.

2. The Occupiers shall:-

- (i) Erect on the land buildings (hereinafter called "the buildings") in permanent materials designed for use in accordance with the conditions of the Right and which conform to the building line (if any) decided by the Mtwara-Mikindani Town Council (hereinafter called "the Authority");
- (ii) By the thirtieth day of June 1995, submit to the Authority such plans for the buildings including plans showing the position of the buildings) and such drawings, elevations and specifications of them as will satisfy the Authority and as are in accordance with the building condition in sub-paragraph (i) above which said plans and specifications shall be submitted in triplicate;

- (iii) Within six months from the date of notification by the Authority of approval of the plans and specification referred to in sub-paragraph (ii) above begin building on the land in accordance with such plans and specifications;
- (iv) Complete the buildings according to the plans and specifications so that they are ready for use and occupation by the thirty first day of December 1997;
- (v) At all times during the term after the thirty first day of December 1997, have on the land buildings as approved by the Authority and maintain them in good order and repair to the satisfaction of the Commissioner for Lands (hereinafter called "the Commissioner").
- (vi) Not erect to 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 here in before 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 Occupiers' 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 Occupiers' obligation under the conditions of the Right and shall not imply waiver of modification of any condition in the Right.

3.(i) The Occupiers 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 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 Occupiers or their 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 Occupiers shall further:-

- (i) make and maintain on the land throughout the term adequate arrangements for water supply, drainage and disposal of sewage as approved by the Authority;
- (ii) make and keep all the buildings on the land rat-proof and carry out such measures as the Medical Officer of Health for the Authority may require for this purpose;
- (iii) Provide and maintain on the land such oblution facilities and take and maintain such hygienic measures as may be required by the said Medical Officer of Health;

6. The Occupiers 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.

.... /4....

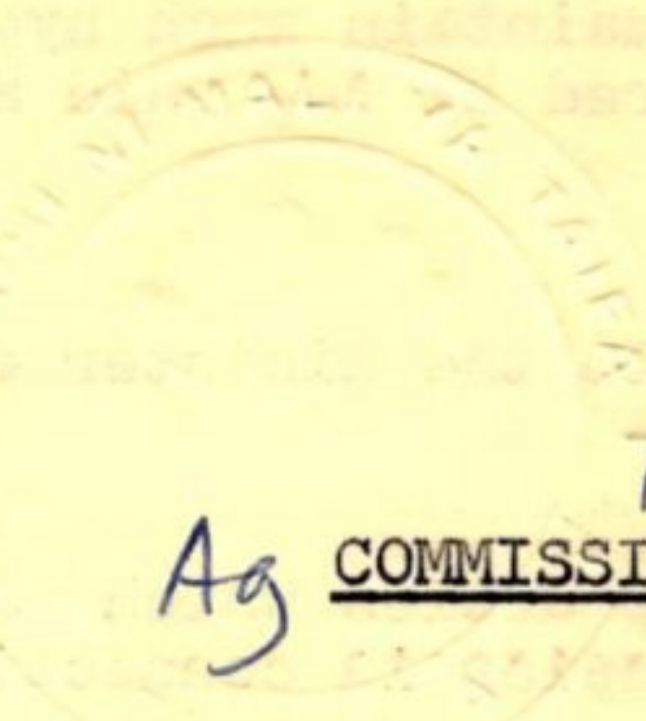
6. Only one main building together with the usual and necessary outbuildings shall be built on the land and the same shall be used for Industrial purposes Use Group 'N' Use Class (c) as defined in the Town and Country Planning (Use Classes) Regulations, 1960.

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

S C H E D U L E

All that piece of land known as Plot. No. 3 **Industrial** Area Mtwara Township containing three decimal point five zero three (3.503) hectares shown for identification only edged on the plan attached to this Certificate and defined on the registered survey plan numbered 28351 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.


Handwritten signature
Ag COMMISSIONER FOR LANDS

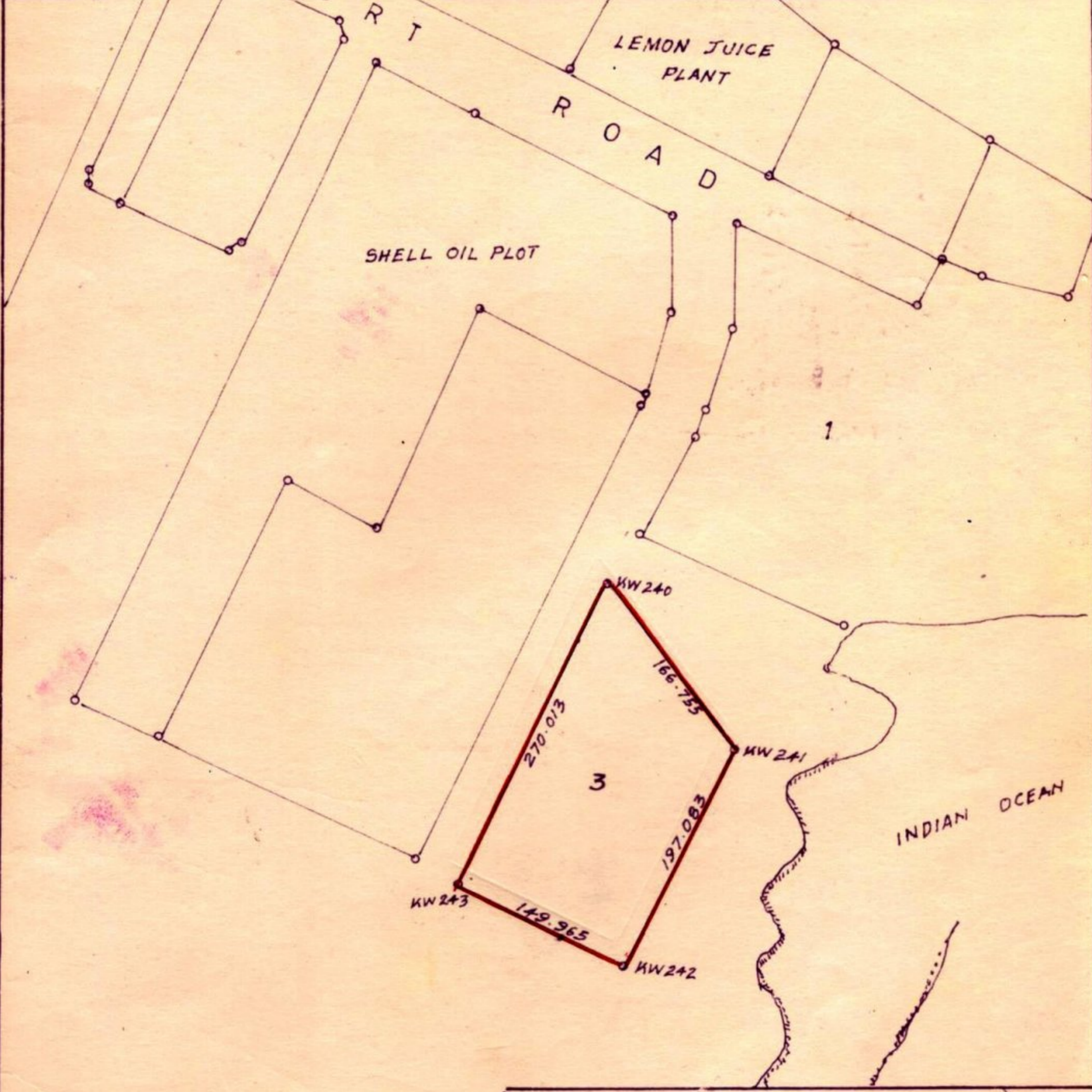
WE, the within-named CALTEX OIL (TANZANIA) LIMITED hereby accept the terms and conditions contained in the foregoing Certificate of Occupancy.

...../5.....

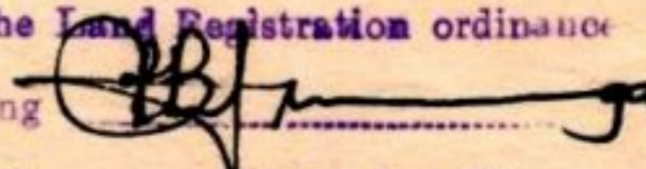
MTWARA TOWNSHIP



INSET SHOWING DETAILS OF PLOT
Locality INDUSTRIAL AREA
Block —
Plot No. 3
L.O. No. 151845
Area 3.503 HA.



The issue of this plan implies no guarantee or admission of title by the Government.

This plan, prepared in accordance with Registered Plan No. 28351 is approved for the purposes of the Land Registration ordinance
Director of Surveys and Mapping 
Date 31-3-1995 Surveys and Mapping Director
Ministry of Lands, Natural Resources and Tourism, D'Salant

SEALED with the COMMON SEAL of the
said CLATEX OIL (TANZANIA) LIMITED
and delivered in our presence this

FIFTH day of APRIL 1995.

Signature:.....

Full Name:..... **NGESO OKOLO**

Postal Address:..... **P O BOX 9104**

..... **DAR ES SALAAM**

Qualification:..... **DIRECTOR**



Signature:.....

Full Name:..... **JOEL M. MABIBA**

Postal Address:..... **P O BOX 9104**

..... **DAR ES SALAAM**

Qualification:..... **DIRECTOR**

LAND REGISTRY MTWARA
CHANGE OF NAME.

Filed Document no 1041
Date of Registration 18-3-2002 time 8.00 A.m
to GAP OIL TANZANIA LIMITED
P.O. Box 9104, Dar es Salaam.

[Signature]
Senior Asst Registrar of Titles

LAND REGISTRY MTWARA
TRANSFER

Filed Document no 1949
Date of Registration 04-02-2009 time 8.30 Q.m
to OIL COM (T) LIMITED
of P.O. Box 20831, DAR ES SALAAM
(CONS. TSH. 600,000,000/=)

[Signature]
Senior Asst Registrar of Titles

LAND REGISTRY MTWARA
LEASE

Filed Document no 1182
Date of Registration 20-6-2003 time 8.00 A.m
to INTERNATIONAL STORAGE TANZANIA
LIMITED of P.O. Box 71769,
Dar es Salaam.

[Signature]
ASST. REGISTRAR OF TITLES

LAND REGISTRY MTWARA
MORTGAGE

Filed Document no 1374
Date of Registration 18-04-2008 time 8.00 Q.m
to EXIM BANK (TANZANIA) LIMITED
(to secure an unspecified amount)

[Signature]
ASST. REGISTRAR OF TITLES

LAND REGISTRY MTWARA
TRANSFER

Filed Document no 1948
Date of Registration 04-02-2009 time 8.30 Q.m
to INTERNATIONAL STORAGE TANZANIA
LIMITED of P.O. Box 564 MIWARA
(CONS. TSH. 40,000,000/=)

[Signature]
Senior Asst Registrar of Titles