Land Form 51

TANZANIA

CERTIFICATE OF OCCUPANCY

(Issued under Section 9 of the Land Ordinance)

Date of Issue: 9-5-1988

Title Number: 3488

Land Office Number: 58608

Land: Plot No. 73 Nyakato Industrial Area Mwanza Municipality

Term: Ninety Nine Years

TITLE No. 3488
REGISTERED
9-5-1988
at 12.00 NOON
Asst. Registrar of Titles

MWANZA LAND REGISTRY

L.O. NO. 68608.

L.D. NO. MZM/6634.

CERTIFICATE OF OCCUPANCY

The 4th day of May

One thousand nine hundred and eighty eight

TITLE NO. 3488

THIS IS TO CERTIFY that MWANZA BOTTLING COMPANY a limited liability company incorporated in Tanzania and having its registered Office KKI/LO at Mwanza Tanzania of P.O. BOX 2086, Mwanza (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") for a term of ninety nine years from the first day of October one thousand nine hundred and eighty four according to the true intent and meaning of the Land Ordinance and subject to the provisions thereof 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, 1985 shall thereafter pay rent of six thousand shillings (Shs. 6000/=) a year in advance on the first day of July in every KKI/LO 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 1994, 2004, 2014, 2024, 2034, 2044, 2054, 2064 and 2074 or within three years thereafter in each case.

2. The Occupier 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, before being erected, shall be approved by the Mwanza Municipal Council (hereinafter called "the Authority");

(ii) By the thirty first day of March, 1985, submit to the Authority such plans for the buildings (including block 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 subparagraph (i) above which said plan and specifications shall be submitted in triplicate;

Stamp Duty Shs. 100/= Paid
and Revenue Receipt No. 998381 3-5-88
of 946379 24-11-87 issued.
Assistant Registrar of Titles

TANGANYIKA
STAMP DUTY PAID ON
ORIGINAL Shs. 290/=
Receipt No. 946379 of 24-11-87 998381 3-5-88
Asst. Registrar of Titles

(iii) Within six months from the date of notification by the Authority of approval of the plans and specifications refered to in subparagraph (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 thirtieth day of September, 1987;

(v) At all times during the term after the thirtieth day of September, 1987 have on the land existing buildings approved by the Authority and maintain them in good order and repair to the satisfaction of the Director of Lands (hereinafter called "the Director");

(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 Director of Surveys and Mapping.

4. 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 or modification of any condition in the Right.

5. (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 Director;

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

4. The Director shall have an absolute discretion to give or withhold consent under condition 3. 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 Director shall be the sole judge.

5. The Occupier shall further:-

(i) Make and maintain on the land throughout the term adequate arrangements for water supply, drainage and disposal of trade refuse and effluent to the satisfaction of 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 purposes;

(iii) Provide and maintain on the land such ablution facilities and take and maintain such hygenic measures as may be required by the said Medical Officer of Health.

6. The Occupier shall pay to the Minister on demand made by the Director 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 sums as the Director 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.

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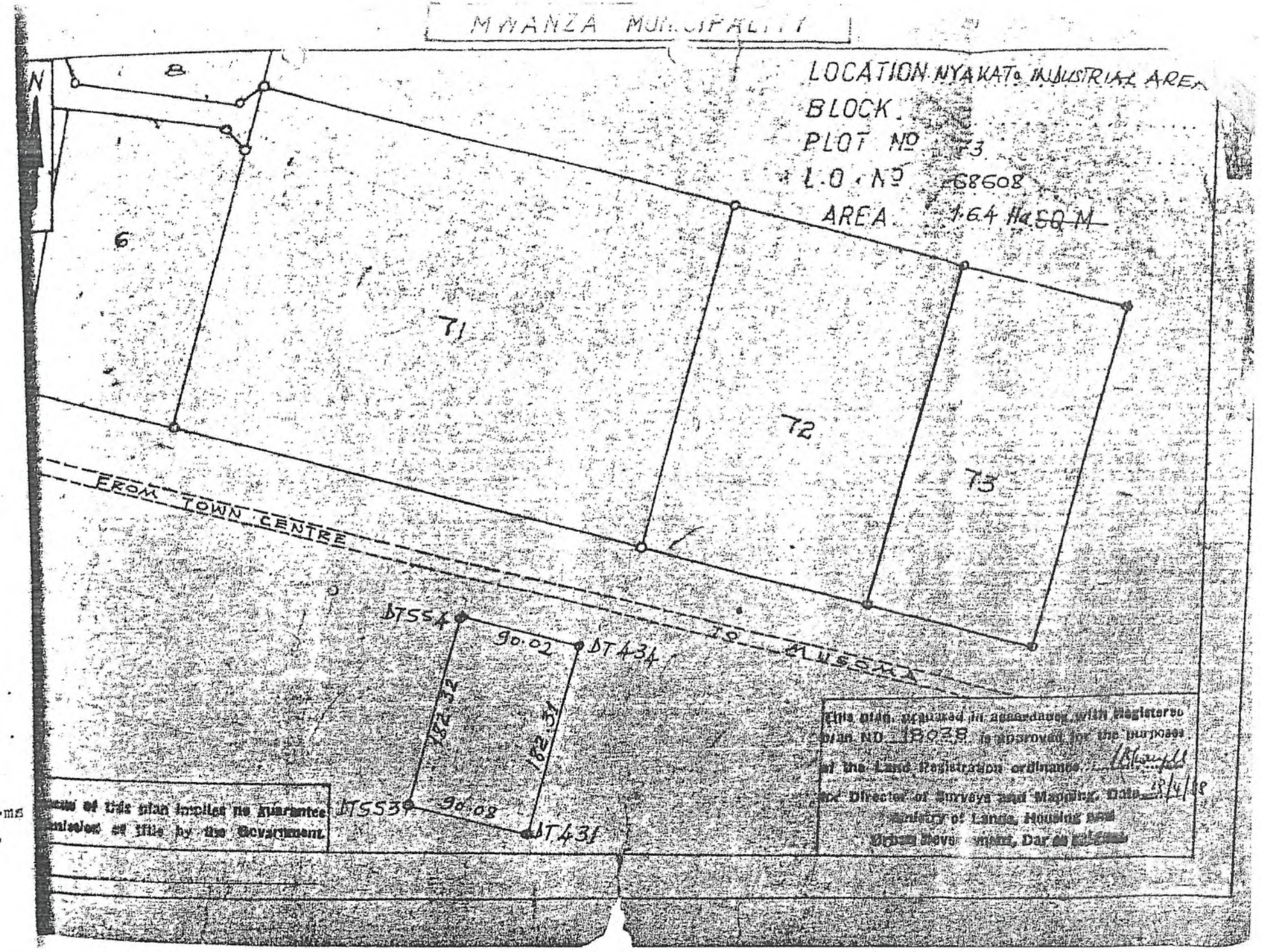
accept the terms
of Occupancy.



7. The land and the building to be erected thereon shall be used for Industrial Service Trade purposes only; Use Group 'H' Use Classes (a), (b) and (c) as defined in the Town and Country Planning (Use Classes) Regulations, 1960.

S C H E D U L E

ALL that piece or parcel of land known as Plot No. 73 Nyakato Industrial Area Mwanza Municipality containing one point six four hecta (1.64) hecta shown for identification only edged red on the plan attached to this Certificate and defined on the registered survey plan numbered 18038 deposited at the Office of the Director of 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.

DIRECTOR OF LAND DEVELOPMENT SERVICES.

The within-named MWANZA BOTTLING COMPANY hereby accept the terms and conditions contained in the foregoing Certificate of Occupancy.

SEALED with the COMMON SEAL of the said
KK/LO NYANZA BOTTLING COMPANY and DELIVERED
in the presence of us

this 2nd day of MAY
1988

Signature:.....

Postal Address:...P. O. Box 3016

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

Qualification:.Company Director

Signature:.....

Postal Address:P.O Box 135

.....TARIME.....

Qualification:Company Director