

TANGANYIKA

CERTIFICATE OF OCCUPANCY

(Issued under Section 9 of the Land Ordinance)

Date of issue:

Title Number: 033046/27

Land Officer Number: 20972.

Land: Plots Nos. 22, 23, 24 and 25 in Mwanza Township.

Term: Ninety-nine years.

FIELD DOCUMENT No. 033046/27
REGISTERED 28-1-65
10.10. A.M.



L.O. No. 20972.
L.D. No. 57158.

TANGANYIKA
Stamp Duty Shillings 2/6 paid and
Revenue Receipt No. 365244 of 4-8-62
Issued

TANGANYIKA
Stamp Duty Shs. 1200/-
PAID ON ORIGINAL
Receipt No. 365244 of 4-8-62
Embaya
Asst. Registrar-General

CERTIFICATE OF OCCUPANCY

The Twenty seventh day of January
One thousand nine hundred and sixty ~~four~~ five

Title No. 033046/27

THIS IS TO CERTIFY that AGIP LIMITED a Limited Liability Company incorporated in Kenya which has established a place of business in Tanganyika and has complied with Section 521 of the Companies Ordinance, Cap. 212 (hereafter called "the Occupier") is entitled to a Right of Occupancy (hereafter called "the Right") in and over the land described in the Schedule hereto (hereafter called "the land") for a term of Ninety-nine years from the Twenty-sixth day of May One thousand nine hundred and sixty-two 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 1965, shall thereafter pay rent of Four thousand two hundred and twenty-eight Shillings (Shs. 4,228/-) 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 (hereafter called "the Minister") on the first day of July in each of the years 1962, 2002, 2022 and 3042 or within five years thereafter in each case.

2. In this Certificate the Town Council, Mwanza is called "the Authority".

3. The Occupier shall:-

- (1) Erect on the land buildings (which expression shall include bulk oil storage tanks and installations) worth at least Shs. 160,000/- designed for use in accordance with the conditions of the Right and which conform to the

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- (ii) By the twenty-fifth day of November 1962 submit to the Authority such plans for the buildings (including block plans showing the position of the buildings bulk oil storage tanks and installations) 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. Such plans and specifications shall be submitted in triplicate;
- (iii) Within three months from the date of notification by the Authority of approval of the plans and specifications referred to in sub-paragraph (ii) above begin building on the land in accordance with such plans and specifications such buildings to sited to the satisfaction of the Authority;
- (iv) Complete the buildings according to the plans and specifications so that they are ready for use and occupation by the twenty-fifth day of May 1964;
- (v) At all times after the twenty-fifth day of May 1964, have on the land approved buildings worth at least Shs.160,000/- and maintain them in good order and repair to the satisfaction of the Commissioner for Lands (hereafter called "the Commissioner");
- (vi) Not build or begin to build 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.

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 by the Minister of any condition in the Right.

4. 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.

5. The Commissioner shall have an absolute discretion to give or withhold consent under condition 4. Any dealing or agreement (other than a mortgage or charge) entered into before compliance with condition 3(iv) will require consent except in special circumstances of

6. 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 him in connection with the Right;
- (ii) an amount equal to any contribution in lieu of rates which may be paid by the 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 roads upon which the land fronts to an improved standard, whether such demand is made before, during or after such improvement provided that no such demand shall be made for the improvement of streets for which a scheme has been approved under the Private Street Works Ordinance and provided further that such payment shall not exempt the Occupier from liability to contribute to the cost of any works under the provisions of the Private Street Works Ordinance. This condition does not oblige the Government to make road improvements.
- (iv) such sum (if any) which may be payable by the Government to the East African Railways and Harbours Administration for the installation of rail sidings to the land in addition to the sum of Forty-four thousand four hundred and sixty nine Shillings (Shs. 44,469/-) already paid by the Occupier.

7. The land and the buildings to be erected thereon shall be used only for bulk and packed storage of petroleum or petroleum products and for purposes ancillary thereto.

8. The Occupier shall:-

- (i) observe and comply with all regulations for the time being in force and which shall hereafter come in force relating to the storage of petroleum and petroleum products.
- (ii) make adequate arrangements for water supply drainage and disposal of trade refuse and effluent.

9. If at any time after compliance with condition 5(iv) above the Occupier shall not hold a licence for the storage of petroleum or petroleum products on the land granted under the Petroleum Rules this shall be deemed to be a good cause for revocation of the Right under Section 10 of the Land Ordinance (Cap. 115 of the Laws).

10. The President may revoke the Right for failure by the Occupier to comply with the conditions expressly or impliedly contained in the Right.

In this Certificate of Occupancy the expression "Commissioner for Lands" shall include any officer to or in whom the President's powers to grant Rights of Occupancy and issue Certificates of Occupancy may be delegated or vested.

SCHEDULE

Plots Nos. 22, 23, 24 and 25 in Mwanza Township, containing One hundred and twenty-two thousand two hundred and fifty (122,250) square feet shown for identification only edged white on the plan attached to this Certificate and defined on registered survey plan numbered 6727 deposited at the office of the Commissioner for Surveys at Dar es Salaam.

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



M. J. Blaas

AG. COMMISSIONER FOR LANDS

MWANZA TOWNSHIP



MWANZA TOWNSHIP



This plan, prepared in accordance with Registered Survey No. _____ is approved for the purposes of the Land Registration Ordinance.
Commissioner for Surveys, _____ Date _____
Survey Division, Ministry of Lands, Forests & Wildlife, Dar es Salaam.

Plans 22, 23, 24 & 25
L.O. No. 26872
Area 122, 250, 341, 11.

Lake Victoria

None of this plan implies or guarantees
acquisition of title by the Government.

The within-named AGIP LIMITED hereby accepts the terms and conditions contained in the foregoing Certificate of Occupancy.

SEALED with the COMMON SEAL of the said AGIP LIMITED and delivered in the presence of us

(Signature) *[Handwritten Signature]*

(Postal Address) P.O. Box 20400
.....NAIROBI.....

(Qualification) *MANAGING DIRECTOR*

(Signature) *[Handwritten Signature]*
SEASWAY TRUSTEES LTD.

(Postal Address) P.O. Box
.....30152.....NAIROBI.....

(Qualification) *SECRETARIES*

and of me *Francis Joseph...*
to whom the above signatories are known personally this 13th day of *January* 1964.

(Signature) *[Handwritten Signature]*

(Postal Address) P.O. Box 111
.....Nairobi Kenya.....

(Qualification) *Advocate*



Doc No: 35747

Registration Ordinance (Cap. 334)



Certificate of Title

Number 033046/27

This Certificate of Title is a valuable document and should be kept in a safe place. It must not be mutilated or written upon. It must be produced with any application for the registration of any disposition or transmission of the land.

Any person intending to acquire any estate or interest in the land should search the land registry or require an official search to satisfy himself that no caveat, injunction, order or notice affecting the land has been entered in the land register since this Certificate of Title was issued.

The description of the land appearing in this Certificate of Title is not, nor is the index map or any plan filed in the land registry, conclusive as to the boundaries or extent of the land but indicates the general boundaries only.