

# TAITA TAVETA COUNTY

## OFFICE OF THE DEPUTY GOVERNOR

### C.E.C. MEMBER - LANDS

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HIS EXCELLENCY THE GOVERNOR,  
 TAITA TAVETA COUNTY,  
 P.O. BOX 1066-80304,  
WUNDANYI.

**RE: REPORT ON THE PARCELS OFFERED BY MEMBERS OF THE COMMUNITY FOR PURPOSE OF DEVELOPMENT OF THE COUNTY HEADQUARTERS:**

Pursuant to the stakeholders meeting held on Saturday 5<sup>th</sup> July 2014 at the Mwatate C.D.F. Hall, members of the public were invited to present parcels of land for purpose of the County Headquarters on Wednesday 9<sup>th</sup> July 2014. Several parcels were presented as outlined below and assessed following thresholds:

- Proof of ownership where apart from copy of title deeds if available then any letter from an authorized institution confirming the same was allowed. Since the local land officials were present the Joint Task Force also allowed names and parcel numbers to be counter checked with available office records.
- In a situation where the parcels presented were owned as family property then a written consent of all the adult family members must be produced.
- Acreage of the said parcel must be sufficient and where the parcels are many they should preferably be in one vicinity or adjacent to each other allowing amalgamation.
- Locality of the parcels and their suitability for the purpose.
- Secondary research on specific parcels from all relevant authorities (Land Adjudication and Settlement, County Physical Planning, Land Registry, former County Council, Provincial Administration, Law Courts etc).

Following this criteria the parcels were assessed, researched and finding and conclusion filed as follows:

The first 4 (four) parcels were floated and recorded during the Saturday meeting and a search at the Mwatate Land Adjudication and Settlement office shows that:

1. Land parcel Number Chawia Sechu/2648: Reserved by the community during adjudication for Kitivo High School. It measures 10 acres and is enclosed within the boundary where Kitivo Primary School was built.

Encumbrances:

- A teacher went on to build a homestead within the land having bought the land from a local community elder. The teacher has over the years been trying to get the portion he occupies adjudicated for him.
- The community must be involved to seek their authority to change its use and to alienate it to the County Government.

2. Land Parcel Number Chawia Sechu/2649 and Chawia Sechu 2131: Records at the Mwatete Adjudication Office show that both parcels of land are reserved for Kitivo Stadium. This may be a typographical error or misquotation of number.

Encumbrances:

- This is the land used by Kitivo Primary School as a playing field.
- Recently a committee seeking land/space for the Sub County Police Headquarters also earmarked the same land.

3. Land Parcel Number 1278: According to records at the Mwatate Adjudication and Settlement office show the same is reserved for the Mwatate Urban Council and the same measures three (3) acres.

Encumbrances:

- The Mwatate Urban Council has never taken physical possession of the land
- The local authority had a long ownership feud with the Kileta family of Mwatate who lay claim to the land and have fenced it.

During the meeting held in the Mwatate C.D.F. Hall this Wednesday 9<sup>th</sup> July 2014 the following parcels were presented and the technical team of the Task Force visited the sites:

4. Chawia Sechu parcels number 1173, 178 and 153: The WENI NDAWIRO family lay claim to this land measuring 20 acres. The said land encompasses the land bound by the main Mwatete/Taveta Highway, all the way to the Hospital gate, Back to the C.D.F. Hall, the water tank and back to the main road.

Encumbrances:

- They handed in a request letter (copy attached) where they alluded to a feud with yet another family who claim the same land.

- Records in the Mwatate Land Adjudication office show that the first claimants first entered their claims in 1972 and their was recorded much later in 1990's.
  - The area is planned within the Mwatete Township Local Physical Development Plan showing different users and proposed roads of access and is actually developed to include:
    - The C.D.F. multi purpose hall
    - The Youth Polytechnic
    - The Administration Police lines
    - The Chiefs Camp
    - The A.C.K. AND Catholic Churches
    - Childrens Home
    - Kenya Industrial Estates
    - High voltage power lines and way leave
5. Land parcel number 255: Forwarded by Mr. Mdamu Masanju located along the main Mwatate Taveta road after the junction to Mururu and the one heading to Sechu. The parcel measures 7.36 acres incorporated with others in the vicinity. The owners do not occupy the land but cultivate it.
- Encumbrances:
- Information from the Land Adjudication and Settlement Office and the Chief's office show Mr. Mdamu has a land dispute with one Koti Mombo where his ownership right to the land is disputed.
  - The scheme is still at the initial stages of adjudication hence pose a risk that a dispute may arise when that stage of the process reached.
  - Secondary records also shows the community reserved the land for Mose trading center and secondary school.
  - Mr. Mdamu claimed the land after gathering several parcels during an earlier consolidation exercise and if these were reserved for public use by the community they are committed
6. Land Parcel Number Wumari Sechu/307: Mr. Anderson Kishere Mwazo offered this 2.5 acre piece of land:
- The land is located next to the others above within land reserved for Mose Trading Center
  - In the design of the main Mwatate – Taveta highway there is a slight deviation here proposed through the said land.
7. Land Parcel Number Wumari Sechu 26: Presented by Mr. Prestone Safari the land measures 3.82 acres and is located near the proposed Mwatate Stadium. Proposes to be merged with parcel number 46 measuring 1.5 acres and others in the vicinity who have not confirmed though.

Encumbrances:

- Confirmed acreage is too small for the purpose of proposed County Headquarters and complimenting services.

CONCLUSION:

Having interrogated all the parcels presented within the thresholds set, they all do not qualify for the purpose of County Headquarters.

KENNETH MWAITA MWAGODI,  
COUNTY CHIEF OFFICER – LANDS, (for Technical Committee of the Joint Task Force)  
**COUNTY GOVERNMENT OF TAITA TAVETA.**