



EXECUTIVE BRIEF ON INVESTIGATIONS REGARDING ALLEGATION OF FRAUDULENT AND ILLEGAL DISPOSITION AND TRANSFER OF A PUBLIC PROPERTY L.R NO.2250/71-MUKOMA ROAD, KAREN BY TAYLOR ADFORCE E.A. LTD, ANTONIE GERAD JEMEAU AND DISMA ARORI VALUED AT 45,000,000.00

Background

The Ethics and Anti-Corruption Commission (EACC) undertook investigations into allegations of fraudulent and illegal disposition and transfer of a public property L.R No.2250/71- Mukoma Road following a complaint received by the Commission on the 29th of March 2022.

Investigations established that on 24th March 1994 an instrument of surrender was registered between the Taylor Adforce (E.A) Limited and the Commissioner of Lands on behalf of the Government of Republic of Kenya.

Taylor Adforce (E.A) Limited surrendered **L.R NO.2250/71** for public utilities purposes. However, after the plot was surrendered Dosama Holdings Limited and Janato Limited were allocated the said parcel of land on the 18th January 1996 vide allotment letter Ref NO.34928/145. Investigation further established that;

1. The **L. R NO.2250/71** is public land that was surrendered on 24th March 1994 by Taylor Adforce (E.A) Limited to the Government of Republic of Kenya for public utilities purposes.
2. That the same was never available for allocation and/ or alienation by the Ministry of Lands to third parties.
3. Consequently **L. R NO.2250/71** registered in the name of Antonie Gerad Jemeau and Disma Arori is *null* and *void*.

The Court case

The Commission was enjoined as an interested party in ELC Case No. E129/2022 Giraffe View Estate Limited-vs-Antonie Gerard Jemeau & Five others and consequently filed a statement of claim on the 14.9.2023 contending that the suit land is reserved for public use and prayed for judgment to be entered in the following terms;

a) *A declaration that the suit parcel of land particularly described as LR. 2250/71 is public property belonging to the Government of Kenya.*

b) A declaration that the Plaintiff, 1st, 2nd and 3rd Defendants, their agents, servants, employees and/or assigns do not have any right or interest on parcel of land particularly described as LR. 2250/71.

c) A permanent injunction do issue against the Plaintiff, 1st, 2nd and 3rd Defendants or any other person, restraining them, their agents, servants, employees and/or assigns from trespassing upon, transferring, leasing, wasting, developing and/or dealing in any manner whatsoever dealing with the suit property particularly described as LR. 2250/71, which property is public land of the Government of Kenya.

d) An order directing the 5th Defendant to issue a letter of allotment to the 4th Defendant, Nairobi City County Government with condition that it be utilized for the sole use of establishing a public health facility.

e) An order directing the 6th Defendant to register the suit property known as LR 2250/71 and issue a Certificate of Lease to Nairobi City County Government and it be utilized for the intended purpose of surrender which is to develop a public health facility.

f) Costs of the suit.

The learned judge LUCY N. MBUGUA delivered a judgement in favour of the Commission on the 12th of February 2025 and made an order that the suit property **L. R NO.2250/71** is public land and further directed that the 1st defendant to pay the costs of this suit to the plaintiff, the 4th defendant(Nairobi City County) and EACC as the Interested party. The land is valued at a current market value of **Ksh.45,000,000;See the pict**



