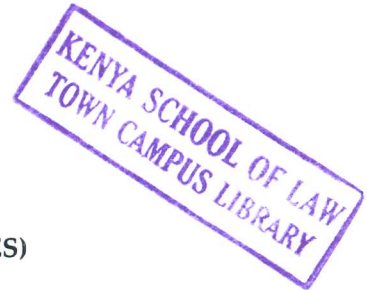


THE KENYA SCHOOL OF LAW



DIPLOMA IN LAW (PARA-LEGAL STUDIES)

2ND YEAR TERM III EXAMINATION



CONVEYANCING

25 MARCH 2019

DURATION: 2 HOURS

Instructions to Candidates

- (a) Answer Question ONE and ANY OTHER THREE Questions
- (b) Question ONE carries 25 Marks
- (c) All other questions carry 15 Marks each

PLEASE TURN OVER

Question One

Kamau and Mumbi Ivy of P. O Box 600 – 00510 Karatina wishes to buy a house known as Growers Paradise. The house is registered in the name of Dr. Kavinya Omwveri and her husband Prof. Githurai Kimbo of P O Box 754 00710 Ruiru. They are registered as joint proprietors. They currently occupy the house. Growers paradise is registered at the District Lands Registry under title no. Nyeri Kabiruine 11/25. The agreed purchase price is 2 million subject to the contract. The price includes household goods. Kamau and Ivy Mumbi would like to buy the house with vacant possession. They are represented by Kidum Kaliech and company advocates who are located at Kitanga Road Nairobi. Current search indicates that there are no restrictions or encumbrances on the title. The property is a leasehold for 99 years from 1970. The annual rent is Ksh. 5,000. The rent has not been paid since 1990. The completion date is 90 days upon execution of agreement for sale. Deposit is 10% of the purchase price.

Required:

Draft a sale Agreement

(25 marks)

Question Two

- a) Explain the duties of the vendor's advocate at an auction sale. (5 marks)
- b) Using relevant examples, explain the documents required for effective transfer of land (10 marks)

Question Three

Sankai Ole Kina owns a piece of land along Mombasa Road known as Konza/Konza South Block 3/1569 has agreed to sell to David Muriuki the whole 7 acres at 8.4 million. However, Sankai Ole Kina has told David Muriuki that the land is still registered in his late father's name.

- a) Advise David Muriuki, who is ready to pay cash for the purchase of the property. (7marks)
- b) Advise Sankai Ole Kina what to obtain so as to ensure that transaction is completed. (8 marks)

Question Four

Briefly explain the following different procedures that may exist in a transaction that would result in the interference of the registration and change in rights and interest in land.

- a) Cautions (5 marks)
- b) Inhibitors (5 marks)
- c) Power of Attorney (5 marks)

Question Five

Rosemary Subukia owns a piece of land measuring 2 acre in Ruiru area on title deed known as Ruiru/Ruiru East Block 3/784. She has identified a developer who is ready to finance the development of about 36 units of three bedroom flats plus play area and swimming pool on the property.

