



National Government Constituencies Development Fund Board

Kisauni Constituency

Karisa Maitha Road/ Opp Jocham Hospital

P.O Box 87910-80100

Mombasa

Email: cdfkisauni@ngcdf.go.ke | **Website:** www.ngcdf.go.ke

OUR REF: KIS/NG-CDF/BOARD/2021/22-004

3RD September 2021

**The,
CEO,
NG-CDF BOARD SECRETARIAT,
P.O. BOX 46682-00100,
NAIROBI**

Dear Sir,

RE: NG-CDF KISAUNI DOCUMENTS FOR PROCURING LAND AT MJAMBERE WARD

In reference to the above mentioned subject, please find the following attachments:

1. Letter from County government for allocating portion of land for Barani primary school and the proposed surveyed area
2. Letter from the Member of Parliament to Coast Water Board requesting for the proposed land for Barani primary school.
3. Response from the Coast Water Works Development Agency.
4. Letter from the Member of Parliament to Coast Water Works Development Agency providing additional information needed.
5. Rejection from Coast Water Works Development Agency on the request.
6. Request letter to DCC requesting for public utility.
7. Request letter to Chief officer, Lands, Planning and Housing.



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8. Response letter from chief officer, Lands, Planning and Housing.
9. Tender opening minutes for expression of interest.
10. Tender evaluation minutes
11. Procurement professional opinion.
12. Financial proposal.
13. Land valuation report.
14. Land survey report.
15. Power of attorney.
16. Affidavit from the seller.

Your Consideration into this matter will be highly appreciated.

Yours sincerely,

Fatma M. Abubakar,
Fund Account Manager,
NG-CDF Kisauni



(2)

**COUNTY GOVERNMENT OF MOMBASA
DEPARTMENT OF LANDS, PLANNING & HOUSING**

Ref: LPH/LND/3-1/VOL.II/(34)

23rd December, 2019

Member of Parliament,
Kisauni Constituency
Mombasa.

Hon.Mbogo Ali Menza

RE: PROPOSED BARANI PRIMARY SCHOOL

Your letter dated 11th October, 2019 on the above matter refers:

The County Government has no objection and is in the process of excision to have the said portion surveyed and later forward it to the Director of Surveys for titling.

Yours Faithfully

Dr. J.J. Mwajuma
Chief Officer - Land, Planning & Housing



REPUBLIC OF KENYA
PARLIAMENT

Hon. Mbogo Ali Menza, MP.
Kisauni Constituency
Member: Lands Committee

CS
to be
in
Board

Parliament Buildings
Tel: +254 20 2221291
P. O. Box 41842 - 00100 Nairobi, Kenya

Continental Hse. Grd flr. Rm.005
Mobile: +254 722 723 188
Email: ali.mbogo@gmail.com

COAST WATER WORKS DEVELOPMENT AGENCY
RECEIVED
16 MAR 2020
P. O. Box 90417 - 80100
MOMBASA

MARCH 11TH, 2020

CHIEF EXECUTIVE OFFICER
COAST WATER BOARD
MOMBASA

RE: REQUEST FOR LAND TO CONSTRUCT A PUBLIC PRIMARY SCHOOL IN KISAUNI.

This is to inform you that we had a very successful meeting with HE The Governor of Mombasa County Hassan Ali Joho regarding the allocation of part of the land currently occupied by Kisauni Water and Sewerage offices in Mjambere ward, Kisauni Constituency.

The County Government of Mombasa agreed to allocate a part of the land to construct a new public primary school known as Barani Primary School. This will be the first public school in Mjambere ward. We commenced the process of surveying the land to enable the construction phase to commence. However, we were informed by the surveyors that we need clearance and concurrence from your office.

In view of the above development, we hereby seek your authority and concurrence to allow us to construct a public school within the Kisauni Water and Sewerage offices land. This will go a long way in supporting the Government initiative of free education to the Kenyan Citizens.

Sincerely I remain,

Hon. Mbogo Ali Menza
Member of the Kenya National Assembly, Kisauni Constituency.



19th June 2020

Our Ref: CWSB/ASSETS & LANDS/108/VOL IV

Hon. Mgogo Ali Menza
Member of Parliament
Kisauni Constituency
Continental House, Ground Floor
Room Number 005
P.O Box 41842-00100
NAIROBI.

Dear Hon. Menza,

**RE: REQUEST FOR LAND TO CONSTRUCT A PUBLIC PRIMARY SCHOOL
ON KISAUNI L. R. NO. MN/11/48, DEVELOPMENT PLAN NO. 12/5/CT/5/97
APPROVED AS NO. 183**

We write with reference to the above property and your letter to us dated 11th March 2020 requesting for land to construct a public primary school in Kisauni.

As you are already aware, Coast Water Works Development Authority is holding the land in trust for the Government of Kenya and we need to provide our board as well as parent ministry, the Ministry of Water, Sanitation and Irrigation with a comprehensive brief as we seek their approval to grant your request. In that connection, kindly provide us with more information to enable us process your request. We need to know:

- 1.) The basis of your request. How big is the constituency and how many schools are in that immediate neighborhood? Is there a shortage of primary schools in the area? Are existing primary schools unable to satisfy the demand? Are you going to meet a special need that existing primary schools are not meeting? If so, which one?


P.O. Box 90417-80100
Mombasa Kenya

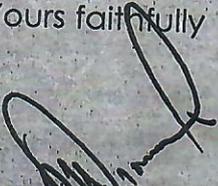
Tel: No. 041 - 2315230

Email: info@cwdda.go.ke
Website: www.cwdda.go.ke

- 2) How much land are you requesting for?
- 3) What kind of structures do you propose to erect on the land?
- 4) How will the project impact existing tenants since it is already housing MOWASCO offices and staff quarters, Mombasa County Government Offices and Coast Water Works Development Authority water pipes?
- 5) Who are the neighbors in terms of institutions and establishments? Have you confirmed that the neighbors will not negatively affect the students? If there are neighbors who can negatively affect the students, how will you deal with them?
- 6) How many children are likely to benefit from the proposed project?
- 7) How are existing tenants likely to impact on the students?
- 8) The source as well as amount of funds available for the project
- 9) How much time will you need for the primary school to be up and running once you get approval?

We look forward to hearing from you so that we can present your request to the Ad hoc Committee on Lands and Asset Management for processing.

Yours faithfully


Jacob K. Torutt
Chief Executive Officer



REPUBLIC OF KENYA
PARLIAMENT

Hon. Mbogo Ali Menza, MP.
Kisauni Constituency

Parliament Buildings
P. O. Box 41842 - 00100
Nairobi, Kenya

Mobile: +254 722 723 188
Tel: +254 20 2221291
E-mail: ali.mbogo@gmail.com

18

CS
urgently
25/8/20

Chief executive officer

10th August, 2020

Coast water works development agency

Mombasa, Kenya.



Dear Sir,

Attention: Jacob Torutt

RE: REQUEST FOR LAND TO CONSTRUCT A PUBLIC PRIMARY SCHOOL ON KISAUNI L.R. NO. MN/II/48 DEVELOPMENT PLAN NO.12/5/CT/5/97 APPROVED AS NO. 183

We refer to your letter reference number CWSB/ASSETS & LANDS/108 VOL IV dated 19th June 2020 regarding the subject matter.

Kindly find below the additional information requested vide your letter.

1. Kisauni constituency is the largest constituency in Mombasa County comprising of seven wards namely; Mjambere, Junda, Magogoni, Mtopanga, Bamburi, Shanzu and Mwakirunge. It is also the most populous and poorest among the six constituencies making up Mombasa County.

Kisauni constituency has the least number of primary and secondary schools. We have a total of 14 primary schools and 7 secondary schools with a population of over 290,000.

Ward	No. of primary schools	No. of Secondary Schools
Mjambere	0	0
Magogoni	0	0
Junda	1	0
Mtopanga	2	2
Bamburi	3	1
Shanzu	3	2
Mwakirunge	5	2

The proposed school is in Mjambere Ward which has never had a public school hence denying many pupils an opportunity to education thus led to increase of juvenile gangs in this Ward.

2. We are only requesting for 0.4987 Ha (approximately). Find attached the proposed sub-division done by the County Government of Mombasa.
3. We are planning to put up modern multi-storey building, however, it will be done in phases. The first phase will comprise six classrooms at a total cost of Kshs. 13 million. It will take us four months to complete the first phase of construction.
4. The source of the funds is from the National Government through Kisauni NG-CDF.
5. The feeder of this school is very high since it will be serving two wards Mjambere and Junda. We anticipate once the full school is complete, it will benefit over 2,000 pupils.
6. We are proposing to take part of the land and leave the rest to serve MOWASCO and County Government offices. Currently there are no tenants as the existing structures have been condemned and not fit for human occupancy.

7. Our immediate neighbors are MOWASCO and County Government offices. Nevertheless, we shall erect a perimeter wall to avoid interference between staff, customers and pupils.

We look forward to hearing from you.

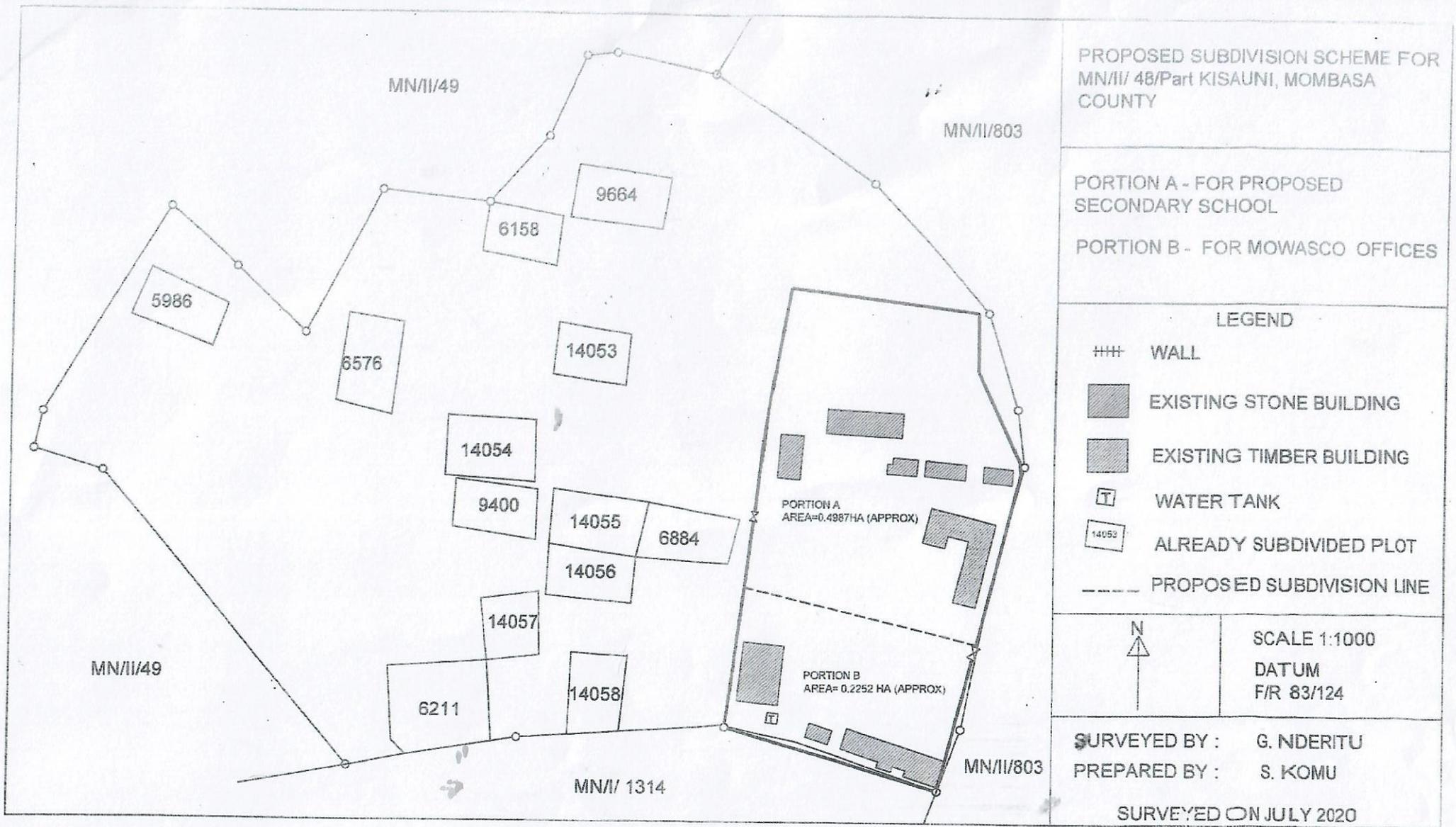
Yours faithfully,



Hon. Mbogo Ali Menza

Member of Parliament, Kisauni Constituency.

KISAUNI CONSTITUENCY OFFICE
P. O. Box 12414
MTOPIANGA-MOMBASA





6th December 2020

Our Ref: CWSB/ASSETS & LANDS/108/VOL IV

Hon. Mbogo Ali Menza
Member of Parliament
Kisauni Constituency
Continental House, Ground Floor
Room Number 005
P.O Box 41842-00100
NAIROBI.

Dear Hon. Menza,

**RE: REQUEST FOR LAND TO CONSTRUCT A PUBLIC PRIMARY SCHOOL
ON KISAUNI L. R. NO. MN/11/48, DEVELOPMENT PLAN NO. 12/5/CT/5/97
APPROVED AS NO. 183**

We write with reference to the above matter and previous communication between us (Your letter dated 11th March, our response dated 19th June your response dated 10th August 2020, all enclosed herein for ease of reference).

Kindly note that the board discussed your request and resolved that Coast Water Works Development Agency is unable to grant your request because the property in question is set aside for expansion, rehabilitation and upgrade of the water supply network of Kisauni and surrounding areas.

Yours faithfully

Jacobus Torutt

Chief Executive Officer



cc County Executive Committee Member for Lands, Planning and Housing
Mombasa County Government
Mombasa County Government Offices
P. O. Box 81599-80100
Mombasa
GPO



6th December 2020

Our Ref: CWSB/ASSETS & LANDS/108/VOL IV

Hon. Mbogo Ali Menza
Member of Parliament
Kisauni Constituency
Continental House, Ground Floor
Room Number 005
P.O Box 41842-00100
NAIROBI.

Dear Hon. Menza,

**RE: REQUEST FOR LAND TO CONSTRUCT A PUBLIC PRIMARY SCHOOL
ON KISAUNI L. R. NO. MN/11/48, DEVELOPMENT PLAN NO. 12/5/CT/5/97
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Kindly note that the board discussed your request and resolved that Coast Water Works Development Agency is unable to grant your request because the property in question is set aside for expansion, rehabilitation and upgrade of the water supply network of Kisauni and surrounding areas.

Yours faithfully

Jacobus Torutt
Chief Executive Officer





National Government Constituencies Development Fund Board
Kisauni Constituency
Karisa Maitha Road/ Opp Jocham Hospital
P.O Box 87910-80100
Mombasa
Email: cdfkisauni@ngcdf.go.ke | Website: Kisauni-ng-cdf.co.ke

NG-CDF KISAUNI

OUR REF: KIS/NG-CDF/GEN/2021/001

26th January 2021

The,
Deputy County Commissioner,
Kisauni Sub- County.

Dear Sir,

REF: REQUEST FOR PUBLIC UTILITY TO CONSTRUCT A PUBLIC PRIMARY SCHOOL AT MJAMBERE WARD.

In reference to the above mentioned subject, we kindly request for a public land to construct a public primary school at Mjambere ward. Currently Kisauni Baptist Primary School is facing off and the only operating classes are from class four to eight.

NG-CDF Kisauni had allocated 13.2M to start the school at Barani area (Coast water Board Property). The County Government of Mombasa had promised to provide us with a land at Coast water works Development Agency but the same was rejected since the property has been set aside for expansion, rehabilitation and upgrade of the water supply network of Kisauni and surrounding areas.

We thus kindly request you to provide us with any information of any public utility available to construct a public school at Mjambere ward.

Enclosed find the attached copies correspondence of the same. Thank you.

FUND ACCOUNT MANAGER
NG-CDF KISAUNI
Yours Sincerely
25 JAN 2021
Fatma M. ABU
P. O. Box 87910-80100 MOMBASA
Mob: 0722 305 811
Fund Account Manager

NG-CDF Kisauni





National Government Constituencies Development Fund Board
Kisauni Constituency

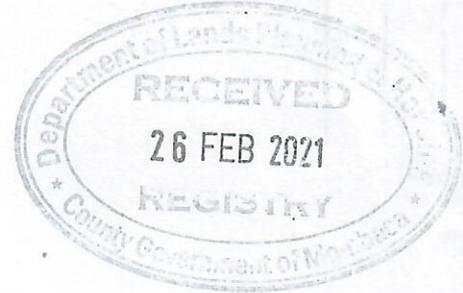
Karisa Maitha Road/ Opp Jocham Hospital
P.O Box 87910-80100
Mombasa

Email: cdfkisauni@ngcdf.go.ke | **Website:** Kisauni-ng-edf.co.ke

OUR REF: KIS/NG-CDF/GEN/2021/006

25th February 2021

**The Chief Officer,
Lands, Planning & Housing,
Mombasa.**



Dear Sir/Madam,

**REF: REQUEST TO PROVIDE A PUBLIC UTILITY FOR CONSTRUCTION OF A
PUBLIC PRIMARY SCHOOL IN MJAMBERE WARD**

In respect to the above mentioned subject, we kindly request you to provide our office with any available public utility to construct a public primary school in Mjambere ward.

The available Primary school in that ward is Kisauni Baptist Primary School which is currently being repossessed by the church and has only class four to eight in operation and the lower primary has been phased off.

We kindly request you to assist us urgently so that we can construct the school since our office has allocated funds.

Thanking you in advance.

Yours Sincerely


Fatma.M. Abubakar, -

Fund Account Manager

NG-CDF Kisauni

NG-CDF KISAUNI
P. O. Box 87910-80100, MOMBASA

25 FEB 2021

Mob: 0112 646 405 / 0753 760 741
Email: cdfkisauni@ngcdf.go.ke



**COUNTY GOVERNMENT OF MOMBASA
DEPARTMENT OF LANDS, PLANNING & HOUSING**

Ref: LPH/LND/5-1/Vol. I/(89)

1ST March, 2021

✓ **The Manager,
National Government Constituency Dev. Fund,
KISAUNI.**

**RE: REQUEST TO PROVIDE A PUBLIC UTILITY FOR
CONSTRUCTION OF A PUBLIC PROPERTY IN MJAMBERE
WARD**

Your letter Ref. No. KIS/NG-CDF/GEN/2021/002 dated 27th January, 2021 on the above matter refers.

Please note that there is no public purpose, or utility or educational use land in Mjambere ward. However, we have done a study that has found and recommended the suitable and available land together with the availing mechanism.

Kindly find enclosed report for your action.

**J.J. Mwajuma
Chief Officer – Land, Planning & Housing**

**Copy to: County Director of Education,
MOMBASA.**

“ **The County Co-ordinator,
National Land Commission,
MOMBASA.**

Encls.



MOMBASA COUNTY

**LAND AVAILABILITY AND SUITABILITY ANALYSIS FOR A PRIMARY SCHOOL
IN MJAMBERE WARD**

[Faint signature and text]

[Faint text: Copy to: County Director of Education, MOMBASA.]

[Faint text: The County Co-ordinator, National Land Commission, MOMBASA.]

ABSTRACT

A school site is a key element in the educational process as most children spend most of their time there. According to Article 53 (1) (b) of the constitution, education facility is one of the basic requirements for education and the unalienable right of every child to access free and compulsory education. Land being a scarce resource, optimal land use is a spatial necessity. Schools that are well located, well planned for and operated in an efficient manner contribute to the growth of a community.

This report intends to give recommendations of the best place to acquire land for building a primary school in Mjambere ward. This follows a request by the Constituency's Development Funds Board through a letter dated 27/Jan/2021 Ref. No. KIS/NG-CDF/GEN/2021/002. This step by step analysis shows the criteria used to filter out plots and why a decision was made on one plot. The criterion used to select the best plot was determined from literatures, the Physical Planning Handbook 2007, land availability and suitability analysis. The findings were drawn from analyzing of various plots and reasons given as to why they were neither available nor suitable for this project.

The document concludes by giving recommendations and why there is need for the county to acquire the said plot of land.

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CHAPTER 1: INTRODUCTION

Following a request to provide a primary land for a school within Mjambere Ward by the Kisauni Constituency National Government Constituencies Development Fund on the 27th January 2021, the Department of Lands, Physical Planning and Housing of Mombasa County embarked on a search mission for the most appropriate and available land for the siting of a school in the ward.

The procedures involved in locating an appropriate space included;

- i. Land availability analysis.
- ii. Land suitability analysis.

Problem statement

Education facility is one of the basic requirements for education and the unalienable right of every child to access free and compulsory education as per Article 53 (1) (b) of the Constitution. Mjambere Ward being served by only one school namely Kisauni Baptist primary school is currently facing a crisis since the school is being repossessed by the church. This being so, the lower primary has been phased off, therefore, class four to eight are the only operating classes.

Given a population of about 27000 in Mjambere, the ward requires at least 6 double streams primary schools. At the moment, there is only one school that is also operating in a half capacity. The children face bleak future and likely to be stranded since the neighboring school within the radius of 2km are also very congested.

With the infectiousness of Covid-19, the schools too require adequate spaces in classes for keeping and observing social distancing and other protocols.

Justification

School sites are important aspect in the education process since most children spend most of their time there when not at home. Schools are expected to protect and sustain the existing culture of the society and to develop and change the society in which they are located. For there to be an active and dynamic structure for a school, adequate physical spaces should be established.

According to the Physical Planning Handbook;

A primary school is an establishment providing basic education covering a period of eight years for children age between 6-13 years inclusive. Allowing for 100% demand for primary school's education and taking a pupil enrolment of 40 per class for a three streamed school from class 1 – 8 i.e. 960 pupils per primary school's maximum, then one school would be required for a population of 3,500.

Distribution

The distribution of primary schools in urban areas on the basis of 100% demand should take into account the urban area's catchment population. This is because pupils are known to move from surrounding rural areas into urban areas for school places. Allowing therefore for 12.5% pupil population from the surrounding areas, it is recommended that primary schools be provided on the basis of school/population ration of 1:3500 in urban areas. Mjambere Ward, with a catchment population of 27000, there is need for addition of 7 schools to cater for the population.

Land requirements:

The idea here is to provide the neighborhoods with adequate land for primary schools with the future requirements being taken into account. It is suggested that an area of at least **3.25 ha** should be set aside for every 3,500 population in urban areas and 4000 population in rural areas. However, reasonable variation may be made depending on recreational needs of the pupils. The 3.25 ha. include an area of about **0.25 ha** for a nursery school. To economize on land and reduce on distance that pupils have to walk form

Following a request letter from the Constituency Development Funds Board, dated 27/Jan/2021 Ref. No. KIS/NG-CDF/GEN/2021/002, a land availability and suitability analysis was necessary for this ward. This analysis ensured that the land selected and recommendation made followed the set standards written in the handbook.

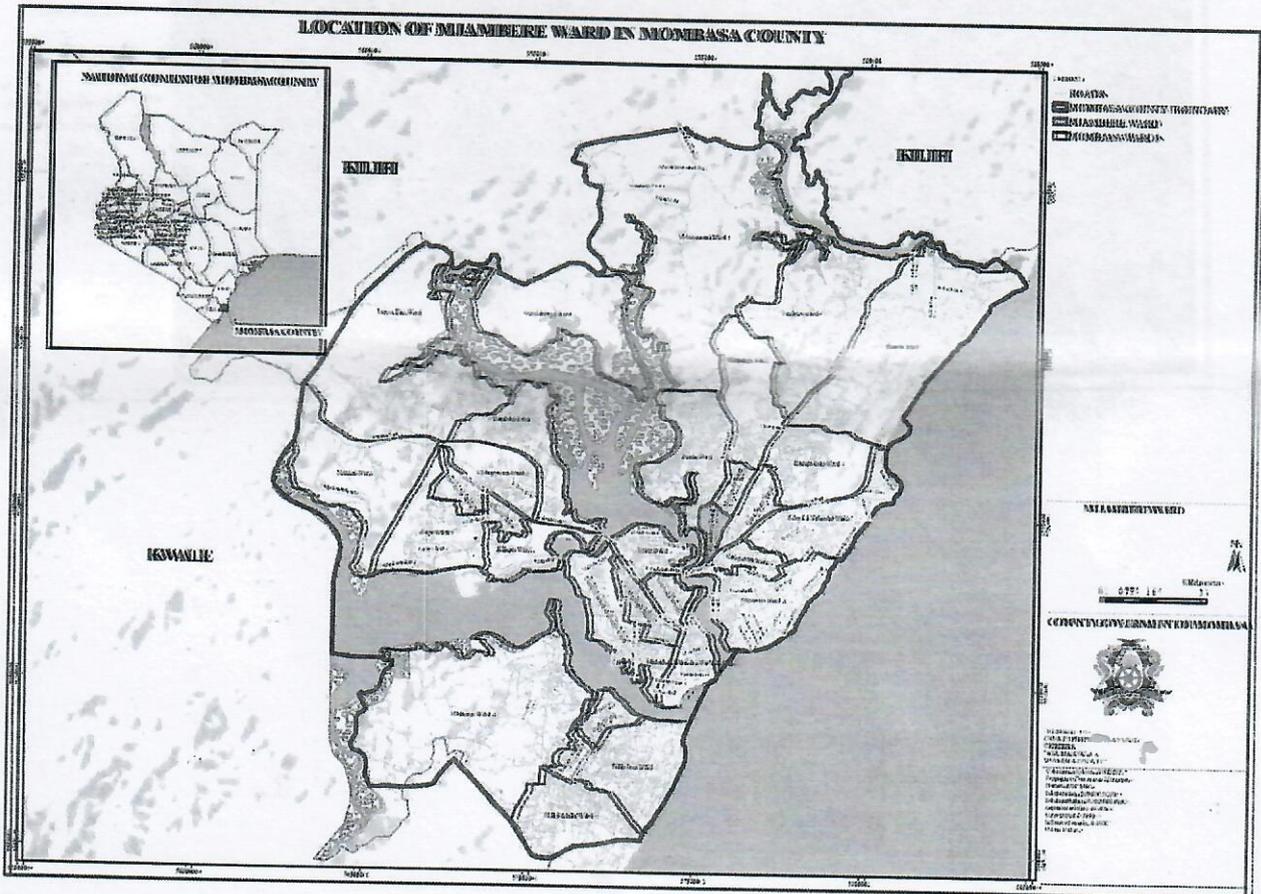
Objective

This report seeks to:

- i) Establish demand for school land
- ii) Study a suitable and available land for building a primary school
- iii) Recommend the best approach for availing the school land

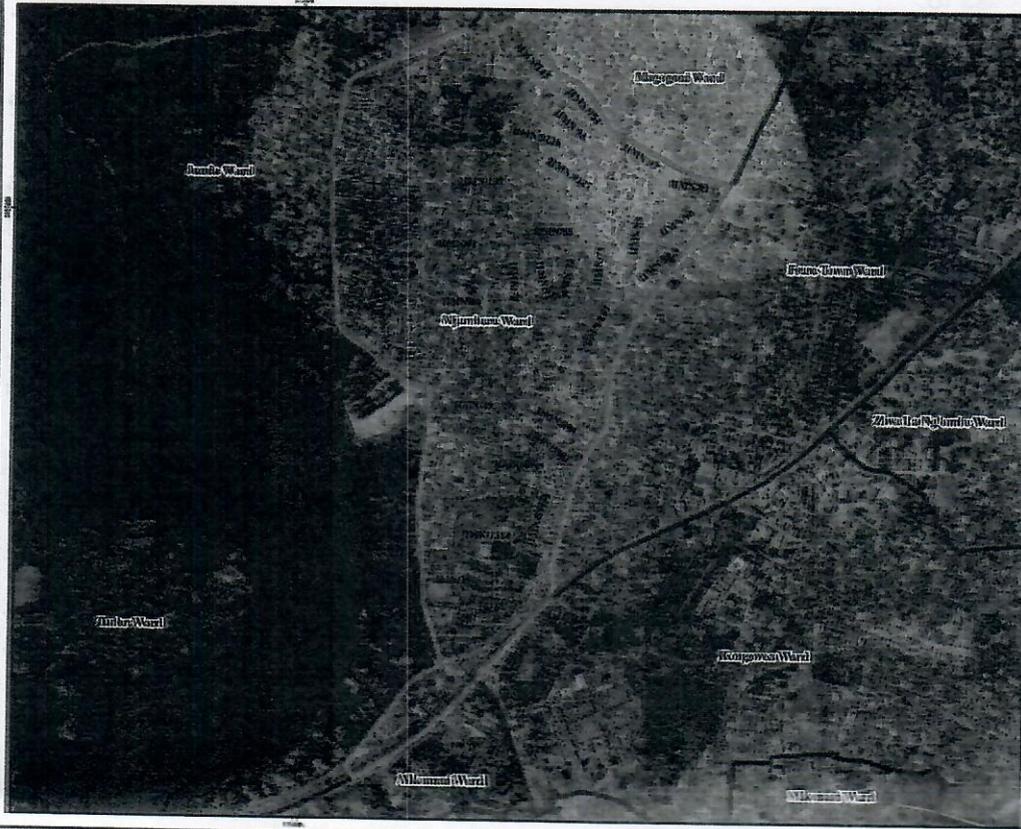
CHAPTER 2: CONTEXTUALISATION

Mjambere ward is located in Kisauni subcounty in Mombasa county.



Its neighboring wards are Kongowea ward (east), Magogoni ward (north) and Junda ward (west). It has an approximate area of 91.95 Ha. It is bounded by Old Malindi road Kengalani road which serve as an edge and the main arterial transport system. The predominant land uses are high density residential, commercial and agricultural use.

MJAMBERE WARD



LEGEND
Mjambere Ward
Mjambere Cadastre
Mombasa Wards

STANDARD WARD
1:50,000
Scale: 1:50,000
0 500 1000
Meters

CO-ORDINATE SYSTEM: UTM
PROJECTION: UTM
DATUM: WGS 84
ELECTRICITY: 230V
CURRENCY: KES
LANGUAGE: ENGLISH
UNIT: METERS



1:50,000
Scale: 1:50,000
0 500 1000
Meters

CHAPTER 3: DATA ANALYSIS

School siting criteria

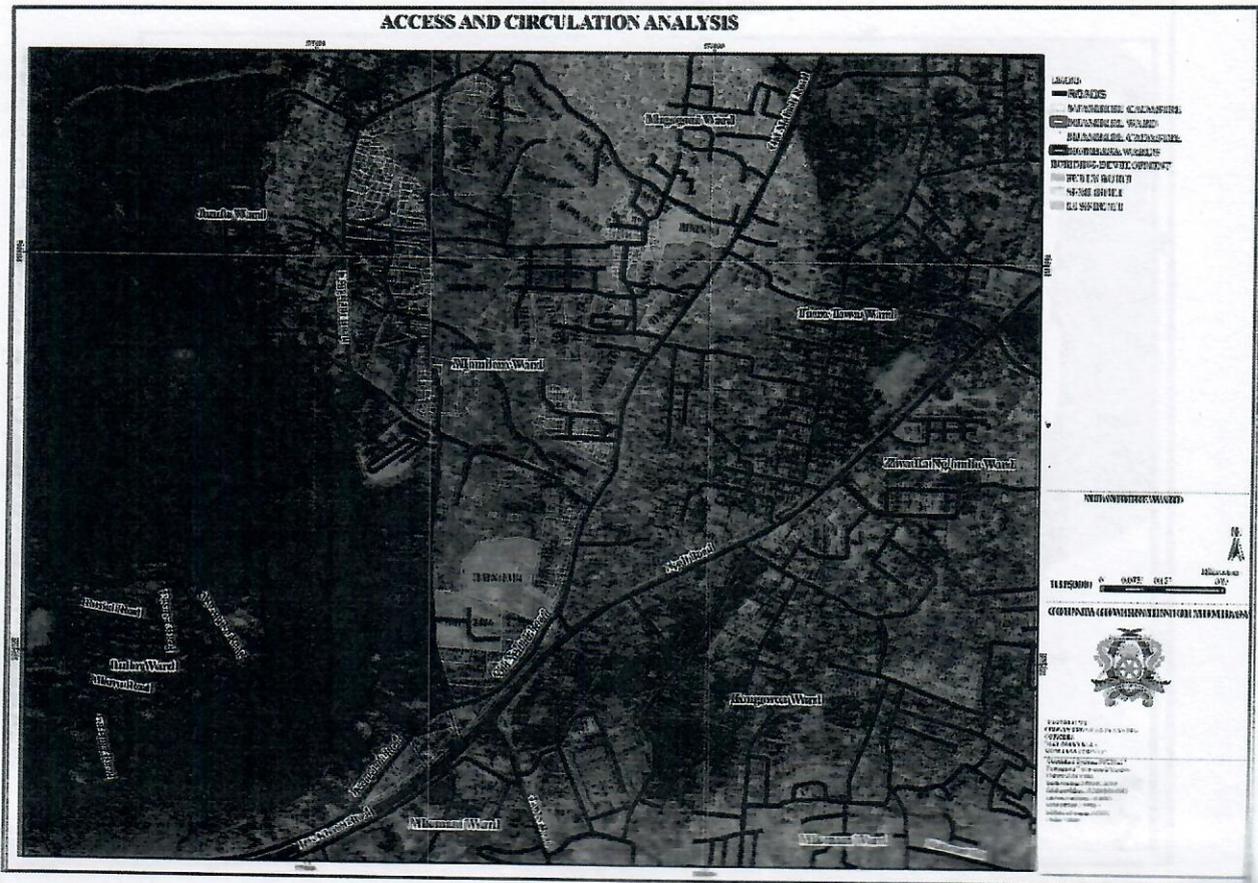
The setting up of primary school depends on the population density, walking distance and the mode of living of the people residing in a particular area. From the standards, a primary school has the maximum of 40 pupils per class age between 6 and 13 years. The following are the criteria required to be used in order to identify the appropriate location of the school;

- i. Land availability analysis. Available lands which meet the criteria of minimum standards required for siting primary school as stipulate in Physical planning hand book. Larger plots are easily available unlike small plots to be consolidated.
- ii. Accessibility analysis. The distance from the individual households and the main access roads. In urban area a school should serve the households within the buffer of 2 kilometer.
- iii. Population density analysis. Physical planning Handbook also state that a school should serve the maximum of 3500 persons.
- iv. Land use analysis. The extent and the types of developments within the proposed plots. The best criteria are the one which could lead to the minimal demolitions. Public land or government lands which are vacant are easily available. Also lands that are for agricultural use are more economical than residential areas or other developed because they require less cost of demolitions and possibly less evictions of people.
- v. Neighborhood analysis to establish how far the residents of Mjambere travel to neighboring schools.
- vi. Analysis of Landscape and geography. The slope of the land is one of the main factors to be considered while undertaking any kind of development. Areas of more than 25 degrees slope are classified as hilly areas and therefore not recommended for any development. Whereas areas of less 5 degrees slope are highly prone to flooding. In this case Mjambere ward is already developed areas therefore the slope analysis is not necessary. In addition, the aspect of geology also needs to be considered.

Land availability analysis

School has to be centrally located or evenly distributed in order to serve the residents very fairly. Mjambere ward is one of the urban residential wards, this implies that the area is suitable for erection of buildings therefore slope suitability analysis is not necessarily needed. From the analysis only 19 plots meet the minimum area of 1.2 hectares required for the single stream school. Out of 19 plots only one is less developed, while the rest are very occupied by high density settlements.

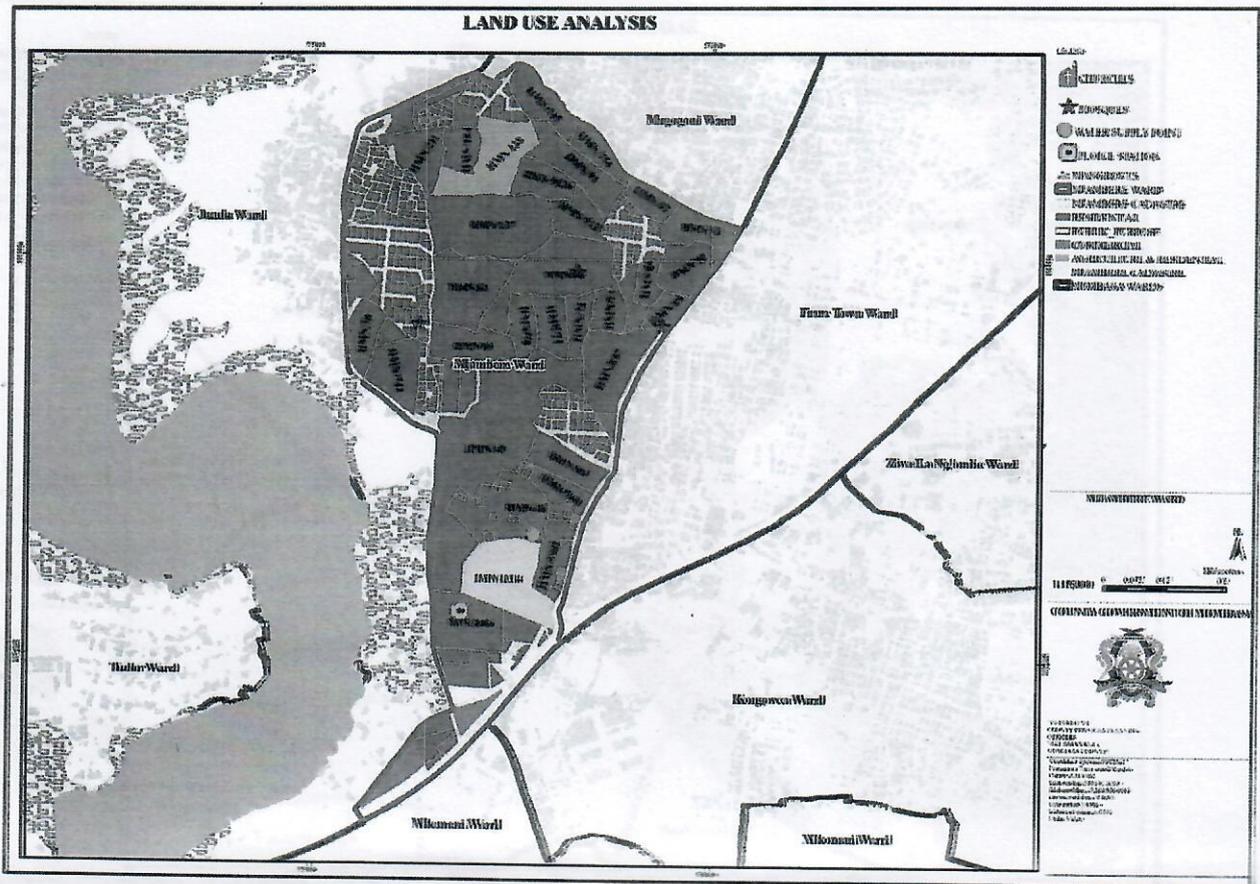
Minimum standards	No. Plot	Recommendations
≥1.2 hectares	19	Single stream
≥2.0 Hectares	11	Double stream



ii. Population and density

Mjambere ward has the population estimate of 27000 housed in 91.95 hectares of land a density of 294 persons per hectare. This indicates that the area is heavily congested and therefore more schools need to be built in the area. Physical planning handbook established that one school is provided to serve the population of 3500 people. This indicates that the Mjambere should have double stream school if space is provided.

From the analysis there are 1911 permanent building structures. Majority of the development are horizontally therefore consumed more space unlike in the case of vertical development.



vii. Landscape and geography

Geology

Generally Mombasa county has stable geology that support the constructions of buildings.

Slope analysis

Physical Planning Handbook states that areas of slope of more than 25 degrees are not recommended for any development and are considered critical for safety of human settlements. Mjambere ward has the maximum slope of 14 degrees which implies that the area is suitable for developments.

CHAPTER 4: FINDINGS

From the analysis, different criteria have been employed to guide an appropriate decision of the best location for siting a primary school. Here are the findings;

i) Land availability

There are 19 plots which meet the criteria of provision of primary school. Out of 19 plots only 11 meet the standards for building a double stream primary school.

Plot number	Area (Ha)	Development density	Score
IIMN/745	1.423 ha	High	Low
IIMN/48	2.970 ha	High	Low
IIMN/804	1.462 ha	High	Low
IMN/2486	2.303 ha	Medium	Average
IIMN/85	3.892 ha	High	Low
IIMN/90	1.696 ha	High	Low
IIMN/93	2.077 ha	High	Low
IIMN/138	2.729 ha	Low	Good
IIMN/137	4.614 ha	High	Low
IIMN/81	3.037 ha	High	Low
IIMN/80	1.794 ha	High	Low
IIMN/49	8.998 ha	High	Low
IIMN/91	1.263 ha	Medium	Average
IIMN/807	2.651 ha	High	Low
IIMN/9126	1.238 ha	High	Low
IIMN/742	1.765 ha	High	Low
IMN/1314	3.319 ha	High	Low
IIMN/9127	1.220 ha	Medium	Average
IIMN/211	3.129 ha	High	Low

Where there is high development density, the relocation of residents and demolition of built structures is also high making it costly for the government to undertake land acquisition. So In this case plot number IMN/138 is most suitable for acquisition.

i) Accessibility

From the analysis the plots which have multiple access to roads are considered best for setting up a primary school.

Plot number	Number of access roads	Score	Location in Mjambere ward	Centrality
IIMN/745	2	Poor	North	Poor
IIMN/48	2	Poor	South	Good
IIMN/804	2	Poor	South	Poor
IMN/2486	1	Poor	South	Fair
IIMN/85	4	Good	Central	Good
IIMN/90	2	Poor	North	Poor
IIMN/93	1	Poor	North	Fair
IIMN/138	4	Good	North	Fair
IIMN/137	5	Good	North	Good
IIMN/81	1	Poor	Central	Good
IIMN/80	1	Poor	Central	Good
IIMN/49	3	Average	Central	Good
IIMN/91	1	Poor	North	Poor
IIMN/807	3	Average	Central	Poor
IIMN/9126	0	Poor	North	Fair
IIMN/742	2	Poor	Central	Poor
IMN/1314	1	Poor	South	Good
IIMN/9127	0	Poor	North	Fair
IIMN/211	3	Average	North	Poor

ii) Land use

From our findings, existing land uses in Mjambere ward are compatible to educational land use.

Plot number	Ownership
IIMN/745	Private
IIMN/48	Private
IIMN/804	Private
IMN/2486	Public
IIMN/85	Private
IIMN/90	Private
IIMN/93	Private
IIMN/138	Private
IIMN/137	Private
IIMN/81	Private
IIMN/80	Private
IIMN/49	Private
IIMN/91	Private
IIMN/807	Private

IIMN/9126	Private
IIMN/742	Private
IMN/1314	Public
IIMN/9127	Private
IIMN/211	Private

Public lands or government lands can be easily acquired by the government itself to carry out any kind of development for public good. In Mjambere ward, there are only two public lands that are already serving a great deal such as police dock sections which is equally important to the ward therefore, the only available lands private owned lands that are fairly developed.

iii) Population

From our findings, the population density of Mjambere ward is high. With a population of over 27,000 and no school, the ward clearly needs an educational facility.

As per the Physical Planning Handbook standards, a school should serve an approximate population of 3500 persons. This is to mean that the Ward requires more than 7 schools to serve the population.

iv) Slope analysis

From the analysis, Mjambere ward has a slope of less than 15 degrees. This mean that topography is not a constraint for the development. Although, 93.2 % of the Mjambere ward has the slope of less than 5 degrees, any development has to consider storm water and flood management mechanism.

Degree of slope	Approximate Area(Ha)	Percentage	Remarks
Less than 5°	85.7	93.2%	Prone to flooding
More than 5° and less than 15°	6.3	6.8%	Suitable for development
Between 15° and 25°	-	-	Consider control measures
Above 25°	-	-	Not recommended

Summary of the findings

From the results of the findings the potential plots are IMN/9127, IMN/91, IMN/ 2486 and IMN/138. However plot number IMN/9127, IMN/91 and IMN/ 2486 all score average in the development density and poor in accessibility.

The criteria used helped to arrive at the decision that the two plots IIMN/138 and 91 are the most available and suitable for the construction of school. However, Plot No. IIMN/91 which measures 1.2Ha is appropriate for single streamed primary school while the IIMN/138 measuring 2.7Ha is properly fitting for a double primary school.

Therefore, Plot number IMN/138 has the better score compared to the rest of the plots as per below parameters;

- i) Accessibility = good
- ii) Land availability = good
- iii) Centrality = fair
- iv) Acquisition = easy

CHAPTER 5: RECOMMENDATIONS

Based on the analysis and findings, it's our professional view that the following points should be considered;

1. Conduct postal search for Plot No. 138/II/MN to establish the owner and possible encumbrances
2. Site visit, boundary survey and ground truthing to be conducted in order to establish other factors that the desktop study might have not established. The visit will enable final ground reporting.
3. The Kisauni NG-CDF office to approach Government Land Valuer to provide estimate for the identified land for the sake of budgeting and resource mobilization
4. The Kisauni NG-CDF office to approach the National Land Commission with a request to kick start compulsory acquisition process of the identified land for the development of school
5. The proposed school should be prioritized as urgent and school land acquisition begins immediately to accommodate the lower classes that have been decommissioned at Kisauni Baptist Primary School. The layout and architectural plans should be resilient to the Covid-19 and climate change

TENDER OPENING MINUTES

TENDER NO. NG CDF/KIS/LAND/EOI/001/2020-2021

**ITEM: EXPRESSION OF INTEREST FOR PURCHASE OF LAND FOR CONSTRUCTION OF
APRIMARY AND SECONDARY SCHOOL IN MJAMBERE WARD**

METHOD OF PROCUREMENT-OPEN TENDERING

PREAMBLE.

Bids for the above mentioned works were advertised on **daily nation newspaper and NG-CDF WEBSITE.** <http://kisauni-ng-cdf.co.ke> dated 6th April, 2021. Two (2No) bidders returned their bids and were opened on 20th April, 2021 at NG-CDF office. Upon opening of the bids (under sec.78 of the Act), the opening committee assigned an Identification number to each bid.

Table "A" shows tenders returned and tendered amounts. The table also shows the comparison of the tenders returned.

TABLE "A" TENDERS RECEIVED

ITEM	TENDERER
1	M/S Salim Mohamed Basheikh P.O. Box 80891-80100 Msa
2	M/ S Coastal Innovators Ltd P.O. Box 85233-80100 Msa

The above named Two (2 No) bids are herewith forwarded for further analysis and award as appropriate.

2.00 – TENDER OPENING COMMITTEE

NO.	NAME	DEPT.	SIGNATURE
1.	SAID SALIM	NG.CDF MEMBER	
2.	TUJI A. TSUMA	PMC SECRETARY	
3.	Renua Mwata	Scmd	

ITEM	
1	M/S Salim Mohamed Bawanda P.O. Box 2001-2000 Harar
2	M/S & Co. Harar P.O. Box 2001-2000 Harar

EVALUATION REPORT FOR EXPRESSION OF INTEREST FOR PURCHASE OF LAND FOR CONSTRUCTION OF PRIMARY AND SECONDARY SCHOOL IN MJAMBERE WARD

QUOTATION: NG CDF/KIS/LAND/EOI/001/2020-2021

Appointment of Evaluation Committee

The Evaluation Committee was appointed by the Accounting Officer (FAM) and it comprised of the following members:

- | | |
|---------------------------|--|
| 1. Mr. Benjamin Birech | -ACC –Chairperson |
| 2. Mr .Khamisi Mwabashiri | -NG-CDF Chairman- Member |
| 3. Mr.Elijah Atambo | -District Accountant-Member |
| 4. Mrs.Penina Mwita | -Supply Chain Management Officer-Secretary |
| 5. Mrs. Zainabu Abdi | -NG-CDF Secretary-Member |

INTRODUCTION

The members attended the Evaluation process timely and without fail.

The Bids submitted and received as at the close of the Tender on 20th April, 2021 included the following

TABLE "A" TENDERS RECEIVED

ITEM	TENDERER
------	----------

1	M/S Salim Mohamed Basheikh P.O. Box 80891-80100 Msa
2	M/ S Coastal Innovators Ltd P.O. Box 85233-80100 Msa

Meeting

The Committee met on 20th May, 2020 under the Chairmanship of **Mr. Benjamin Birech** at DCC office to carry out the Preliminary evaluation exercise

Evaluation Criteria

Evaluation Criteria adopted by the Evaluation Committee was to check for the mandatory requirements and forms that needed to be filled by all the bidders

Preliminary Evaluation

The mandatory standard checklist form as agreed by the evaluation team ensured that all the required forms were dully filled. The requirement detailed below formed the preliminary/Technical evaluation to warrant a bidder to another stage of financial evaluation.

TENDER RESPONSIVENESS

v---means bidder is responsive

X---means bidder is NON responsive

CRITERIA	BIDDER 1	BIDDER 2
----------	----------	----------

Copy of title deed,survey map and/or mutation form	✓	
Dully filled Business Questionnaire	✓	X
Certificate of Registration/ID	✓	✓
KRA Pin certificate of registered land owner	✓	✓
Valid tax Compliance	✓	✓
Original current official search certificate	✓	X
Minimum size of land 1 acre(2.92 Acres)	✓	X
		X

Firms that met the above criteria qualified for consideration to Technical evaluation.

Observation

Bidder 2.

- The bidder did not attach Copy of title deed, survey map and/or mutation form bearing their name
- The bidder did not attach valid tax compliance certificate
- The bidder did not attach current search certificate
- The land is less than one acre

Committee Remarks on the Preliminary

The evaluation committee recommended bidder 1 for further evaluation since they met the minimum criteria set out as a requirement for preliminary evaluation stage

Technical Evaluation done on the 9th June,2021

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CRITERIA	BIDDER 1
Due Diligence on ownership of the Land	✓
Accessibility from major roads	✓
Free from encumbrances, cautions or caveats	✓
Free from any litigation or Disputes	✓
The Land should not have permanent structures within its Limits	✓
Confirmation of Land Value by Government Valuer	✓

Committee Remarks on the Technical Evaluation

The evaluation committee recommended bidder 1 further for Financial evaluation since they met the minimum criteria set out as a requirement for Technical evaluation stage hence responsive

Financial Evaluation done on the 23rd - 24th June,2021

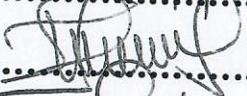
PRICE SCHEDULE/BID SUM

Item Description Proposed	Bidder1	Government Valuer
		M/S Salim Mohamed Basheikh P.O. Box 80891-80100 Msa
EXPRESSION OF INTEREST FOR PURCHASE OF LAND FOR CONSTRUCTION OF PRIMARY AND SECONDARY SCHOOL IN MJAMBERE WARD	32,340,000.00	40,000,000.00

Recommendations of the Evaluation Committee

Based on the foregoing Preliminary, Technical and Financial analysis, it was recommended that this Tender be awarded to **M/S Salim Mohamed Basheikh P.O. Box 80891-80100 Msa amounting to Thirty One Million, Nine Hundred and Five Thousand ,Five Hundred Shillings only(Kshs.31,905,500.00) This is 1.191 Ha less 0.0185 as per the Surveyor's Report**

EVALUATORS

NAME	TITTLE	SIGNATURE
1. Mr. Benjamin Birech	Chairman	
2. Mr .Khamisi Mwabashiri	Member	
3. Mrs. Penina Mwita	Secretary	
4. Mr.Elijah Atambo	Member	
6. Mrs. Zainabu Abdi	Member	



THE PRESIDENCY
MINISTRY OF INTERIOR AND COORDINATION OF NATIONAL GOVERNMENT.

Procurement Professional Opinion

DATE: 25th June, 2021

TO: ACCOUNTING OFFICER (FAM), NG-CDF KISAUNI

FROM: SUB-COUNTY HEAD OF SUPPLY CHAIN MANAGEMENT

Re: TENDER NO: NG CDF/KIS/LAND/EOI/001/2020-2021- EXPRESSION OF
INTEREST FOR PURCHASE OF LAND FOR CONSTRUCTION OF PRIMARY AND SECONDARY
SCHOOL IN MJAMBERE WARD

BUDGET

Subject to approval by the CDF Board

PROCEDURE

1. Method of procurement used was Open Tendering: Bids were advertised on **daily nation newspaper and NG-CDF WEBSITE . <http://kisauni-ng-cdf.co.ke>** dated 6th April, 2021. Attached Advert
2. **OPENING OF TENDERS**
The Bids were opened on 20th April, 2021 at 10.00am at the NG-CDF office as per section 78 of PPAD. Attached Opening minutes
3. **EVALUATION**
Evaluation was done on 20th May, 2021 for Preliminary

Technical Evaluation done on the 9th June,2021 and Financial done on 23rd-24th June,2021 by the user department,Administration,Accounts and supply chain management office appointed as per section 46 and done as per section 80 of the PPAD act.Attached Evaluation report

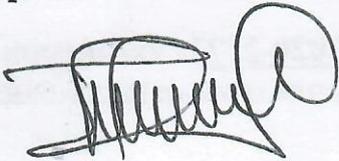
4. MARKET SURVEY

Market survey was based on the Valuer's Report

5. RECOMMENDATION

Following the Evaluation report, I recommend that the contract be awarded to **M/S Salim Mohamed Basheikh P.O. Box 80891-80100 Msa amounting to Thirty One Million, Nine Hundred and Five Thousand ,Five Hundred Shillings only(Kshs.31,905,500.00) This is 1.191 Ha less 0.0185 as per the Surveyor's Report**

You are therefore advised to take the necessary action in relation to the approved request



**PENINA M. MWITA
SUPPLY CHAIN MANAGEMENT OFFICER
KISAUNI SUB-COUNTY**

ACCOUNTING OFFICER (FAM)

APPROVED.....NAME.....DATE.....SIG.....

NOT APPROVED.....NAME.....DATE.....SIG.....

The projects don't have funds for buying the land but the NG-COFC shall request for resubmission and reallocation of funds for other project. Thus the approval will be based upon approval by the board.

FUND ACCOUNT MANAGER
KISAUNI NG - CDF
P.O. Box 87010- 80100,
MOMBASA

[Signature] Senior field operations officer

FINANCIAL PROPOSAL

TENDER NO. NG-CDF/KIS/LAND/EOI/001/2020-2021

**FUND ACCOUNT MANAGER
NATIONAL GOVERNMENT CONSTITUENCIES
DEVELOPMENT FUND
KISAUNI CONSTITUENCY
P.O. BOX 87910-80100, MOMBASA
MOMBASA, KENYA**

FINANCIAL PROPOSAL

Ref: TENDER NO. NG-CDF/KIS/LAND/EOI/001/2020-2021

Date: 19th April, 2021

Field Account Manager
National Government Constituencies Development Fund
Kisumu Constituency
P.O. Box 87910-80100
MOMBASA, KENYA

Dear Sirs

RESPONSE TO EXPRESSION OF INTEREST FOR PURCHASE OF LAND FOR CONSTRUCTION OF A PRIMARY AND SECONDARY SCHOOL IN MJAMBERE WARD

Please see below Form F3 as per the tender document (page 11) duly completed.

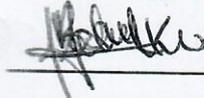
FORM F3: PRICE SCHEDULE FORM

No.	Location	Plot No.	Area in Acres	Rate per Acre (Kshs.)	Total in (Kshs)
	Mombasa Municipality in Mombasa District, Kisumu, Mjambere Ward	Subdivision Number: MN/II/13848 (Original . No. 138/3)	2.943	11,000,000/=	32,340,000/=

The above price is valid for **ONE HUNDRED AND TWENTY DAYS (120)**

Signature of Authorized Official: **ABDULRAHIM ABDULRAHMAN BASHEIKH** of ID No. 22804410

AUTHORIZED ATTORNEY



19TH APRIL 2021



REPUBLIC OF KENYA



MINISTRY OF LANDS AND PHYSICAL PLANNING

Telegram
Telephone: 041/2312914

DIRECTORATE OF LANDS,
P.O. BOX 80053-80100
MOMBASA.

When replying please quote:

Ref No. MSA/VAL.GEN/VOL 2/37

June 23, 2021.

Funds Account Manager,
National Government Constituency
Development Fund (NG-CDF),
Kisauni Constituency;
P.O. Box 30450-00100,
Nairobi.

**RE: REPORT AND VALUATION OF A VACANT PLOT ON MN/II/13843 AT MAGOGONI
SUB-LOCATION; MJEMBERE WARD WITHIN KISAUNI AREA, MOMBASA COUNTY.**

We make reference to the letter dated 8th June, 2019 Ref No. KIS/NG-CDF/LAND/01/2021 and KIS/NG-CDF/LAND/02/2021 to prepare a Valuation Report on the above captioned property with a view of advising on the Current Market Value for purchase purposes.

We have inspected the property and hereby forward our and valuation report for your reference and records.

We note that even though the market value of the subject parcel of land as per our valuation is Kenya Shillings forty million (Kshs. 40,000,000) we have no reservation on the offer price of Kshs.32,340,000.


VICTOR O. OLONDE
FOR DIRECTOR LAND VALUATION

*File
CDF Land
Acquisition
B. B. B.*

(114)



*NG-CDF
Land
file with
143*

REPUBLIC OF KENYA
MINISTRY OF LANDS & PHYSICAL PLANNING

Email: skprovcoast@hotmail.com
Telephone: 041-2225654
When replying, please quote
Date and reference

REGIONAL SURVEY OFFICE
COAST REGION
P.O. BOX 80095
MOMBASA.

REF. No: C/LND/VOL.I/14

8th June 2021

The Assistant County Commissioner
Kisauni Division
MOMBASA.

RE: SURVEYORS REPORT: 13848/II/MN.

Reference is made to the above subject matter and our subsequent site visit as made to the site as from Thursday, 3rd June, 2021.

Herewith is a report of our observations in relation to the land parcel located at Mjambere area, Kisauni Subcounty, Mombasa.

I. Purpose of the survey:

To positively identify the location, boundary/beacons and the road of access to the parcel in question and provide a ground report to help in the valuation and acquisition process of the parcel in question by the Kisauni NG-CDF.

II. Datum:

Authenticated survey plan Folio/Register No: 540/68 for parcel 13848/II/MN and its abutals.

III. Methodology:

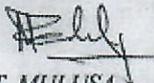
Using the prescribed cadastral survey methods, beacons defining the extents of the parcel in question were searched on the ground. Every single station point was identified and checked for consistency with the datum plan. datum beacon 138/1 was found insitu and was used to search and re-establish missing beacons using RTK GPS equipment. Positions of 3 beacons fell on existing houses which were picked and plotted for reference.

IV. Observations and Findings:

1. **Delination of plot 13848/II/MN:** The cadastral boundary of The parcel is defined by 23 beacons namely: *M11, 86/3, 86/2, 86/1, 137/12, 137/11, 137/10, 137/9, 137/8, 137/7, 137/6, 137/5, M1, M2, M3a, M3b, M4, M5, M6, M7, M8 & M9*; all of which were found insitu or reestablished except for beacons; *137/3, 137/9 & 86/2* whose positions fell on existing houses.
2. **Size:** The plot is approximately *1.191 Ha (2.94 acres)* in acreage.
3. **Access:** On the ground, there exists a cabro road accessing the parcel and its abuttals. This road partially aligns to the surveyed 9m access road(MN/II/138/1).

All the trees and other features within the parcel were picked and plotted.

Find attached a copy of the survey plan FR No. 540/68 and a sketch plan of the parcel for your reference and record.

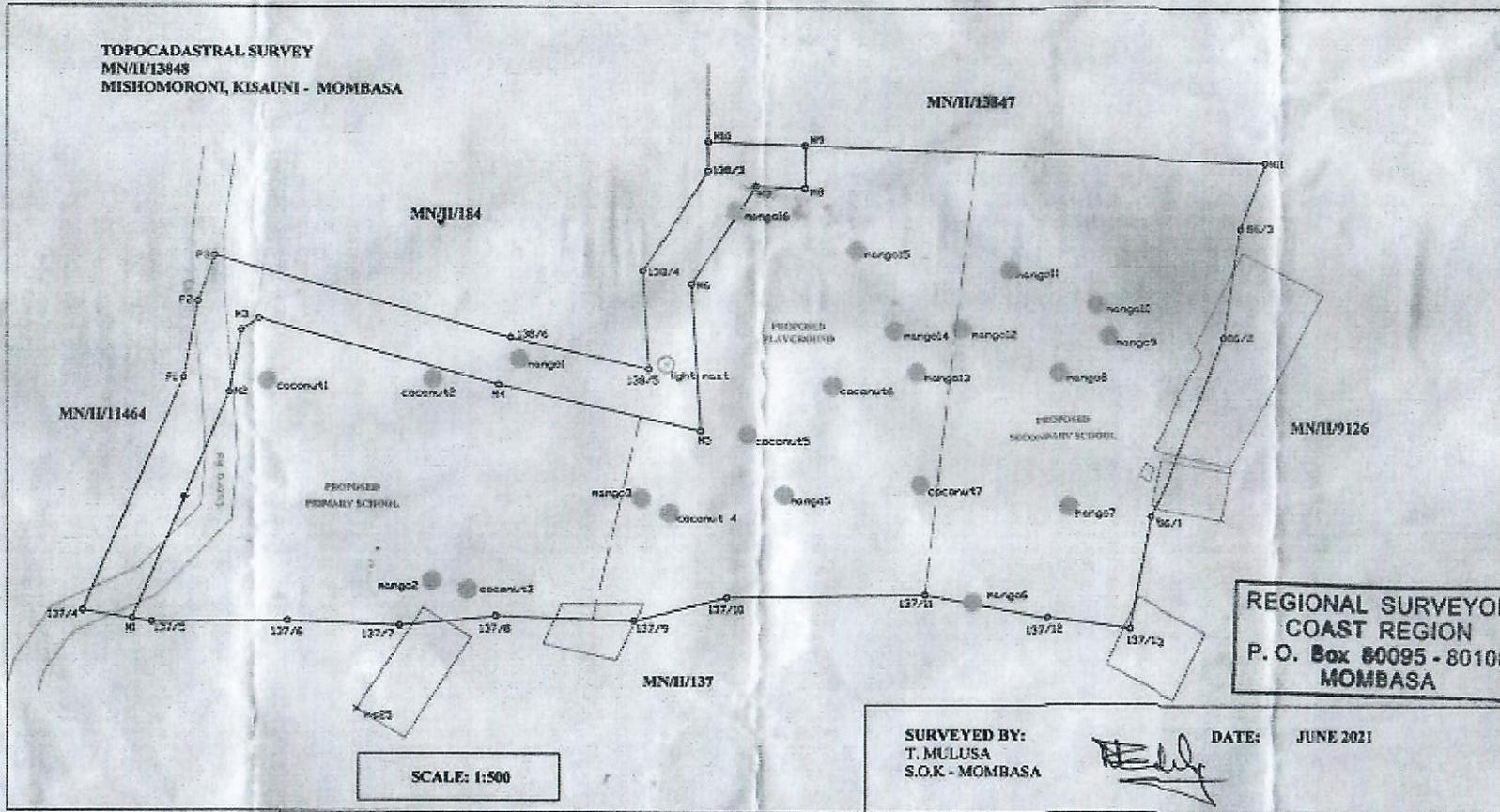


T. MULUSA

For: REGIONAL SURVEYOR
COAST.

REGIONAL SURVEYOR
COAST REGION
P. O. Box 80095 - 80100
MOMBASA

TOPOCADASTRAL SURVEY
MN/II/13848
MISHOMORONI, KISAUNI - MOMBASA



REGIONAL SURVEYOR
COAST REGION
P. O. Box 80095 - 80100
MOMBASA

SURVEYED BY:
T. MULUSA
S.O.K - MOMBASA

DATE: JUNE 2021

SCALE: 1:500



MOMBASA COUNTY

**LAND AVAILABILITY AND SUITABILITY ANALYSIS FOR A PRIMARY SCHOOL
IN MIAMBERE WARD**

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ABSTRACT

A school site is a key element in the educational process as most children spend most of their time there. According to Article 53 (1) (b) of the constitution, education facility is one of the basic requirements for education and the unalienable right of every child to access free and compulsory education. Land being a scarce resource, optimal land use is a spatial necessity. Schools that are well located, well planned for and operated in an efficient manner contribute to the growth of a community.

This report intends to give recommendations of the best place to acquire land for building a primary school in Mjambere ward. This follows a request by the Constituency's Development Funds Board through a letter dated 27/Jan/2021 Ref. No. KIS/NG-CDF/GEN/2021/002. This step by step analysis shows the criteria used to filter out plots and why a decision was made on one plot. The criterion used to select the best plot was determined from literatures, the Physical Planning Handbook 2007, land availability and suitability analysis. The findings were drawn from analyzing of various plots and reasons given as to why they were neither available nor suitable for this project.

The document concludes by giving recommendations and why there is need for the county to acquire the said plot of land.

CHAPTER 1: INTRODUCTION

Following a request to provide a primary land for a school within Mjambere Ward by the Kisauni Constituency National Government Constituencies Development Fund on the 27th January 2021, the Department of Lands, Physical Planning and Housing of Mombasa County embarked on a search mission for the most appropriate and available land for the siting of a school in the ward.

The procedures involved in locating an appropriate space included;

- i. Land availability analysis.
- ii. Land suitability analysis.

Problem statement

Education facility is one of the basic requirements for education and the unalienable right of every child to access free and compulsory education as per Article 53 (1) (b) of the Constitution. Mjambere Ward being served by only one school namely Kisauni Baptist primary school is currently facing a crisis since the school is being repossessed by the church. This being so, the lower primary has been phased off, therefore, class four to eight are the only operating classes.

Given a population of about 27000 in Mjambere, the ward requires at least 6 double streams primary schools. At the moment, there is only one school that is also operating in a half capacity. The children face bleak future and likely to be stranded since the neighboring school within the radius of 2km are also very congested.

With the infectiousness of Covid-19, the schools too require adequate spaces in classes for keeping and observing social distancing and other protocols.

Justification

School sites are important aspect in the education process since most children spend most of their time there when not at home. Schools are expected to protect and sustain the existing culture of the society and to develop and change the society in which they are located. For there to be an active and dynamic structure for a school, adequate physical spaces should be established.

According to the Physical Planning Handbook;

A primary school is an establishment providing basic education covering a period of eight years for children age between 6-13 years inclusive. Allowing for 100% demand for primary school's education and taking a pupil enrolment of 40 per class for a three streamed school from class 1 – 8 i.e. 960 pupils per primary school's maximum, then one school would be required for a population of 3,500.

Distribution

The distribution of primary schools in urban areas on the basis of 100% demand should take into account the urban area's catchment population. This is because pupils are known to move from surrounding rural areas into urban areas for school places. Allowing therefore for 12.5% pupil population from the surrounding areas, it is recommended that primary schools be provided on the basis of school/population ration of 1:3500 in urban areas. Mjambere Ward, with a catchment population of 27000, there is need for addition of 7 schools to cater for the population.

Land requirements:

The idea here is to provide the neighborhoods with adequate land for primary schools with the future requirements being taken into account. It is suggested that an area of at least 3.25 ha. should be set aside for every 3,500 population in urban areas and 4000 population in rural areas. However, reasonable variation may be made depending on recreational needs of the pupils. The 3.25 ha. include an area of about 0.25 ha for a nursery school. To economize on land and reduce on distance that pupils have to walk form

Following a request letter from the Constituency Development Funds Board, dated 27/Jan/2021 Ref. No. KIS/NG-CDF/GEN/2021/002, a land availability and suitability analysis was necessary for this ward. This analysis ensured that the land selected and recommendation made followed the set standards written in the handbook.

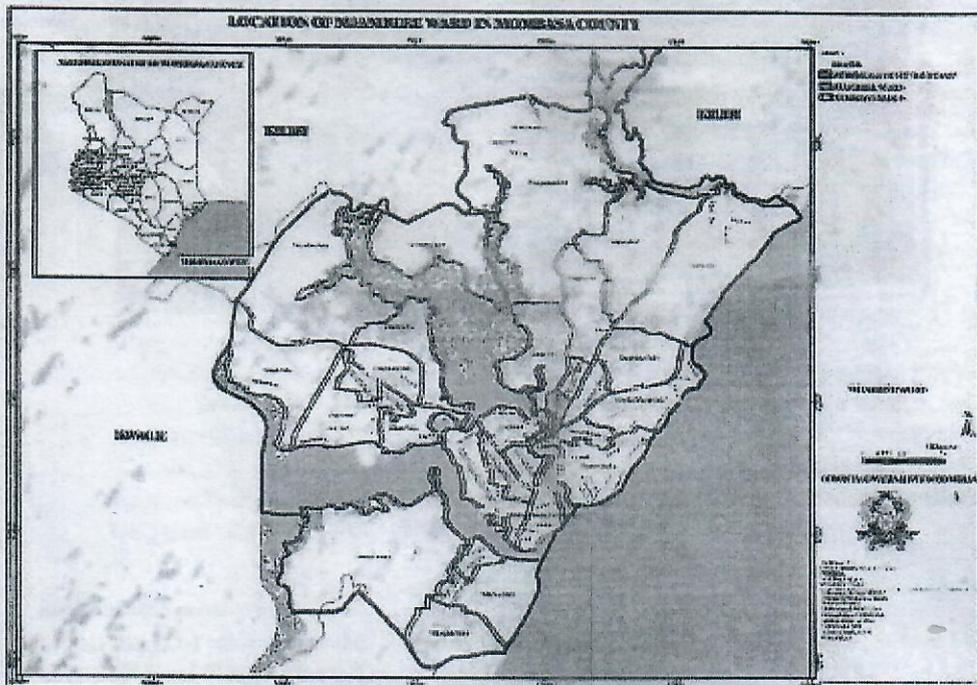
Objective

This report seeks to:

- i) Establish demand for school land
- ii) Study a suitable and available land for building a primary school
- iii) Recommend the best approach for availing the school land

CHAPTER 2: CONTEXTUALISATION

Mjambere ward is located in Kisauni subcounty in Mombasa county.



Its neighboring wards are Kongowea ward (east), Magogoni ward (north) and Junda ward (west). It has an approximate area of 91.95 Ha. It is bounded by Old Malindi road Kengelani road which serve as an edge and the main arterial transport system. The predominant land uses are high density residential, commercial and agricultural use.

CHAPTER 3: DATA ANALYSIS

School siting criteria

The setting up of primary school depends on the population density, walking distance and the mode of living of the people residing in a particular area. From the standards, a primary school has the maximum of 40 pupils per class age between 6 and 13 years. The following are the criteria required to be used in order to identify the appropriate location of the school;

- i. Land availability analysis. Available lands which meet the criteria of minimum standards required for siting primary school as stipulate in Physical planning hand book. Larger plots are easily available unlike small plots to be consolidated.
- ii. Accessibility analysis. The distance from the individual households and the main access roads. In urban area a school should serve the households within the buffer of 2 kilometer.
- iii. Population density analysis. Physical planning Handbook also state that a school should serve the maximum of 3500 persons.
- iv. Land use analysis. The extent and the types of developments within the proposed plots. The best criteria are the one which could lead to the minimal demolitions. Public land or government lands which are vacant are easily available. Also lands that are for agricultural use are more economical than residential areas or other developed because they require less cost of demolitions and possibly less evictions of people.
- v. Neighborhood analysis to establish how far the residents of Mjambere travel to neighboring schools.
- vi. Analysis of Landscape and geography. The slope of the land is one of the main factors to be considered while undertaking any kind of development. Areas of more than 25 degrees slope are classified as hilly areas and therefore not recommended for any development. Whereas areas of less 5 degrees slope are highly prone to flooding. In this case Mjambere ward is already developed areas therefore the slope analysis is not necessary. In addition, the aspect of geology also needs to be considered.

Land availability analysis

School has to be centrally located or evenly distributed in order to serve the residents very fairly. Mjambere ward is one of the urban residential wards, this implies that the area is suitable for erection of buildings therefore slope suitability analysis is not necessarily needed. From the analysis only 19 plots meet the minimum area of 1.2 hectares required for the single stream school. Out of 19 plots only one is less developed, while the rest are very occupied by high density settlements.

Minimum standards	No. Plot	Recommendations
≥ 1.2 hectares	19	Single stream
≥ 2.0 Hectares	11	Double stream



ii. Population and density

Mjambere ward has the population estimate of 27000 housed in 91.95 hectares of land a density of 294 persons per hectare. This indicates that the area is heavily congested and therefore more schools need to be built in the area. Physical planning handbook established that one school is provided to serve the population of 3500 people. This indicates that the Mjambere should have double stream school if space is provided.

From the analysis there are 1911 permanent building structures. Majority of the development are horizontally therefore consumed more space unlike in the case of vertical development.

CHAPTER 4: FINDINGS

From the analysis, different criteria have been employed to guide an appropriate decision of the best location for siting a primary school. Here are the findings;

i) Land availability

There are 19 plots which meet the criteria of provision of primary school. Out of 19 plots only 11 meet the standards for building a double stream primary school.

Plot number	Area (Ha)	Development density	Score
IIMN/745	1.423 ha	High	Low
IIMN/48	2.970 ha	High	Low
IIMN/804	1.462 ha	High	Low
IMN/2486	2.303 ha	Medium	Average
IIMN/85	3.892 ha	High	Low
IIMN/90	1.696 ha	High	Low
IIMN/93	2.077 ha	High	Low
IIMN/138	2.729 ha	Low	Good
IIMN/137	4.614 ha	High	Low
IIMN/81	3.037 ha	High	Low
IIMN/80	1.794 ha	High	Low
IIMN/49	8.998 ha	High	Low
IIMN/91	1.263 ha	Medium	Average
IIMN/807	2.651 ha	High	Low
IIMN/9126	1.238 ha	High	Low
IIMN/742	1.765 ha	High	Low
IMN/1314	3.319 ha	High	Low
IIMN/9127	1.220 ha	Medium	Average
IIMN/211	3.129 ha	High	Low

Where there is high development density, the relocation of residents and demolition of built structures is also high making it costly for the government to undertake land acquisition. So In this case plot number IMN/138 is most suitable for acquisition.

i) Accessibility

From the analysis the plots which have multiple access to roads are considered best for setting up a primary school.

Plot number	Number of access roads	Score	Location in Mjambere ward	Centrality
IIMN/745	2	Poor	North	Poor
IIMN/48	2	Poor	South	Good
IIMN/804	2	Poor	South	Poor
IMN/2486	1	Poor	South	Fair
IIMN/85	4	Good	Central	Good
IIMN/90	2	Poor	North	Poor
IIMN/93	1	Poor	North	Fair
IIMN/138	4	Good	North	Fair
IIMN/137	5	Good	North	Good
IIMN/81	1	Poor	Central	Good
IIMN/80	1	Poor	Central	Good
IIMN/49	3	Average	Central	Good
IIMN/91	1	Poor	North	Poor
IIMN/807	3	Average	Central	Poor
IIMN/9126	0	Poor	North	Fair
IIMN/742	2	Poor	Central	Poor
IMN/1314	1	Poor	South	Good
IIMN/9127	0	Poor	North	Fair
IIMN/211	3	Average	North	Poor

ii) Land use

From our findings, existing land uses in Mjambere ward are compatible to educational land use.

Plot number	Ownership
IIMN/745	Private
IIMN/48	Private
IIMN/804	Private
IMN/2486	Public
IIMN/85	Private
IIMN/90	Private
IIMN/93	Private
IIMN/138	Private
IIMN/137	Private
IIMN/81	Private
IIMN/80	Private
IIMN/49	Private
IIMN/91	Private
IIMN/807	Private

IIMN/9126	Private
IIMN/742	Private
IMN/1314	Public
IIMN/9127	Private
IIMN/211	Private

Public lands or government lands can be easily acquired by the government itself to carry out any kind of development for public good. In Mjambere ward, there are only two public lands that are already serving a great deal such as police dock sections which is equally important to the ward therefore, the only available lands private owned lands that are fairly developed.

iii) Population

From our findings, the population density of Mjambere ward is high. With a population of over 27,000 and no school, the ward clearly needs an educational facility.

As per the Physical Planning Handbook standards, a school should serve an approximate population of 3500 persons. This is to mean that the Ward requires more than 7 schools to serve the population.

iv) Slope analysis

From the analysis, Mjambere ward has a slope of less than 15 degrees. This mean that topography is not a constraint for the development. Although, 93.2 % of the Mjambere ward has the slope of less than 5 degrees, any development has to consider storm water and flood management mechanism.

Degree of slope	Approximate Area(Ha)	Percentage	Remarks
Less than 5°	85.7	93.2%	Proned to flooding
More than 5° and less than 15°	6.3	6.8%	Suitable for development
Between 15° and 25°	-	-	Consider control measures
Above 25°	-	-	Not recommended

Summary of the findings

From the results of the findings the potential plots are IMN/9127, IMN/91, IMN/ 2486 and IMN/138. However plot number IMN/9127, IMN/91 and IMN/ 2486 all score average in the development density and poor in accessibility.

The criteria used helped to arrive at the decision that the two plots IIMN/138 and 91 are the most available and suitable for the construction of school. However, Plot No. IIMN/91 which measures 1.2Ha is appropriate for single stream primary school while the IIMN/138 measuring 2.7Ha is properly fitting for a double primary school.

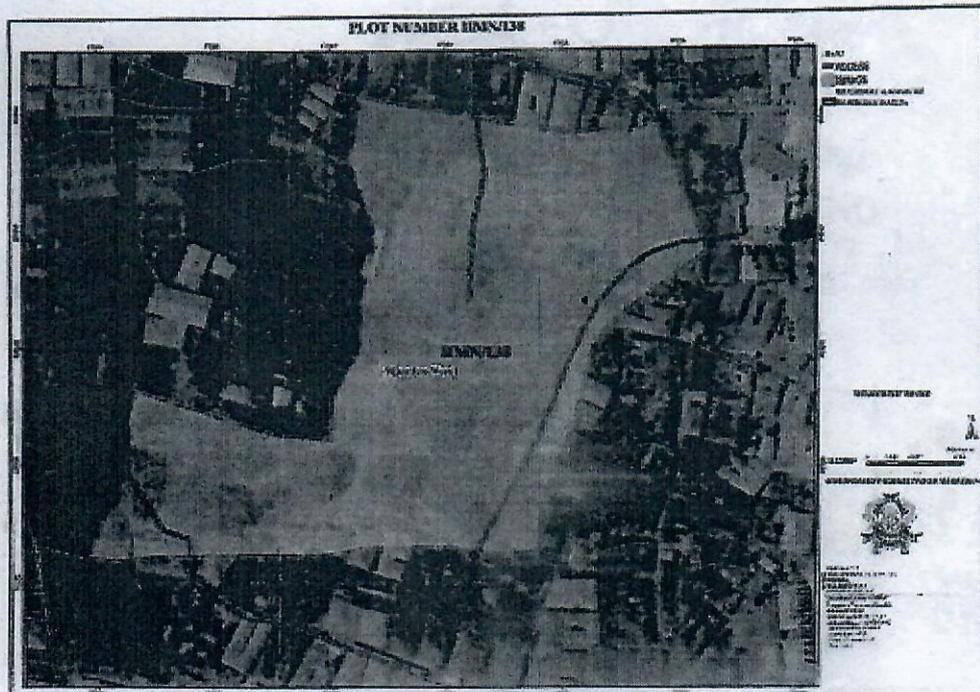
Therefore, Plot number IMN/138 has the better score compared to the rest of the plots as per below parameters;

- i) Accessibility = good
- ii) Land availability = good
- iii) Centrality = fair
- iv) Acquisition = easy

CHAPTER 5: RECOMMENDATIONS

Based on the analysis and findings, it's our professional view that the following points should be considered;

1. Conduct postal search for Plot No. 138/II/MN to establish the owner and possible encumbrances
2. Site visit, boundary survey and ground truthing to be conducted in order to establish other factors that the desktop study might have not established. The visit will enable final ground reporting.
3. The Kisauni NG-CDF office to approach Government Land Valuer to provide estimate for the identified land for the sake of budgeting and resource mobilization
4. The Kisauni NG-CDF office to approach the National Land Commission with a request to kick start compulsory acquisition process of the identified land for the development of school
5. The proposed school should be prioritized as urgent and school land acquisition begins immediately to accommodate the lower classes that have been decommissioned at Kisauni Baptist Primary School. The layout and architectural plans should be resilient to the Covid-19 and climate change



CHAPTER 6: CONCLUSION

To adequately serve the population of 27,000, Mjambere Ward is supposed to have at least seven Primary schools. However, as it stands, it only has one school which is also in the process of decommissioning posing a crisis. The intensive analysis to arrive at the land suitable for the development of a school within Mjambere Ward has pointed to Plot IMN/138 as the best for the construction of the New Primary School for Mjambere. The plot is well accessed, adequate size for double stream primary school, agricultural user that is easy to change to educational and owned by an individual with less land rates liability making it easier to negotiate and acquire. It is therefore our considered professional opinion that the land reference number MN/138 is compulsorily acquired for development of school in Mjambere.

Manyala P.O.
County Physical Planner
MOMBASA.

REPUBLIC OF KENYA



MINISTRY OF LANDS AND PHYSICAL PLANNING

Telegram
Telephone: 041/2312914

DIRECTORATE OF LANDS,
P.O. BOX 80053-80100
MOMBASA.

When replying please quote:

Ref No.MSA/VAL.GEN/VOL 2/37

June 23, 2021.

Funds Account Manager,
National Government Constituency
Development Fund (NG-CDF),
Kisauni Constituency;
P.O. Box 30450-00100,
Nairobi.

**RE: REPORT AND VALUATION OF A VACANT PLOT ON MN/II/13848 AT MAGOGONI
SUB-LOCATION; MJEMBERE WARD WITHIN KISAUNI AREA, MOMBASA COUNTY.**

We make reference to the letter dated 8th June, 2019 Ref No. KIS/NG-CDF/LAND/01/2021 and KIS/NG-CDF/LAND/02/2021 to prepare a Valuation Report on the above captioned property with a view of advising on the Current Market Value for purchase purposes.

We have inspected the property and hereby forward our and valuation report for your reference and records.

We note that even though the market value of the subject parcel of land as per our valuation is Kenya Shillings forty million (Kshs. 40,000,000) we have no reservation on the offer price of Kshs.32,340,000.

VICTOR O. OLONDE
FOR DIRECTOR LAND VALUATION



REPUBLIC OF KENYA

MINISTRY OF LANDS AND PHYSICAL PLANNING

Email: skcoast@hotmail.com
Telephone: 041-2225654
When replying, please quote

REGIONAL SURVEY OFFICE
P.O. BOX 80095
MOMBASA

Ref. No: C/LND/VOL.I/14

8th June 2021

The Assistant County Commissioner
Kisauni Division
MOMBASA.

RE: SURVEY OF PARCEL NO. 13848/II/MN – KISAUNI, MOMBASA.

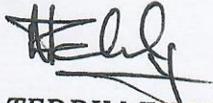
Reference is made to the above subject matter and our subsequent site visits as from Thursday, 3rd June, 2021 to the parcel for purposes of identification of its boundaries/beacons to aid in the acquisition process by the NG-CDF, Kisauni Constituency.

Herewith is a report of the findings/observations upon completion of the survey and in reference to our survey records.

1. **Datum:** The survey for parcel 13848/I/MN is contained in authenticated survey plan *Folio/Register Number 540/68*.
2. **Methodology:** Using prescribed survey methods, beacons defining the extent of the parcel in question were searched on the ground.
Control point *beacon 138/1* was found insitu and was used to check/place the beacons for the parcel using RTK GPS equipment.
Every single station point was identified and checked for consistency with the datum plan.
All beacons were successfully re-established except for three beacons whose positions fell on existing houses on neighbouring parcels.
These encroaching structures and features within the parcel were picked and plotted.
3. **Findings:** Upon completion of the survey, the following details were observed:
 - (a) **Locality:** The property was accurately identified on the ground as is reflected on the survey plan. It is located in *Mjambere area, Kisauni Division, Mombasa*.
 - (b) **Size:** The acreage of the parcel is approximately *1.191 Ha (2.94 Acres)*
 - (c) **Beacons:** Re-established beacons are *M1, M2, M3a, M3b, M4, M5, M6, M7, M8, M9, M11, 86/3, 86/1, 137/12, 137/11, 137/10, , 137/8, 137/7, 137/6 & 137/5*.

- (d) **Encroachment:** Beacons 137/9, 137/13 and 86/2 fell on existing houses. The picked houses accumulatively encroached into the parcel by approximately *0.0185 Ha*. These encroachments vis-a-vis the parcel area are indicated on the attached sketch plan.
- (e) **Access Road:** The parcel is provided for with a *9m wide* access road number MN/II/138/1. The road exists on the ground and is partially cabro paved.

Find attached the datum plan and sketch showing ground details for your reference.



TEDDY MULUSA

**For: REGIONAL SURVEYOR
COAST**



REPUBLIC OF KENYA
POWER OF ATTORNEY

DISTRICT LAND REGISTRY MOMBASA	
DATE	10 JUN 2021
TIME	9:00 AM
NO.	142

I **SALIM MOHAMED ABDULRAHMAN BASHEIKH** of ID Number 23565057 and of Post Office Box Number 80840-80100, Mombasa (hereinafter called "the Grantor") **HEREBY APPOINT AND AUTHORISE ABDULRAHIM ABDULRAHMAN BASHEIKH** of ID Number 22804410 and of Post Office Box Number 80840-80100, Mombasa in the Republic of Kenya as his Attorney (hereinafter called "the Attorney") to transact the business and affairs of the Grantor and to do all things necessary or expedient to be done for properly and efficiently conducting the business of the Grantor (but without limiting the generality of the foregoing):

To sell, or otherwise deal in any immovable property or properties and all lands now or which may hereafter in relation to the Grantor's interests be registered under the Government Lands Act (Chapter 280) (now repealed), the Registration of Titles Act (Chapter 281) (now repealed), the Land Titles Act (Chapter 282) (now repealed), the Registered Land Act (Cap 300) (now repealed) and the Land Registration Act Number 2 of 2012 of the Laws of Kenya in the said Republic that are HELD by the Grantor **SUBJECT TO** any other Acts Special Conditions encumbrances and other matters specified on any relevant Deed or Certificate of Title at such time or times at such prices and to be the Grantor's Attorney to execute all or any leases and charges or mortgages whether now belonging to the Grantor or which shall hereafter belong to the Grantor under or by virtue of the said Acts all of which the Grantor is now or shall hereafter be the proprietor under the said Acts; also to lease any such lands for any term or years at any rent; also to surrender or obtain or accept the surrender of any lease in which the Grantors are or may be interested; also to exercise and execute all powers which are now or shall hereafter be vested in or conferred on the Grantor as Lessee or Chargee under the said Acts and in the Grantor's name, to sign all such transfers and other instruments and to do all such acts matters and things as may be necessary or expedient for carrying out the powers hereby given and for recovering all sums of money that are now or may become due or owing to the Grantor in respect of the premises and for enforcing or varying any contracts agreements or conditions binding upon any lessee tenant or occupier of the said lands.

1. Subject to such conditions covenants and restrictions as the Attorney shall deem proper to transfer assign or convey any land or property in the Grantor's name and to do all such acts matters and things as may be necessary or expedient for carrying out the powers hereby given.
2. To collect and receive rents, and, if necessary cancel any lease or other tenancy and to take all legal proceedings for ejection or otherwise in connection with such lease or other tenancy, or the cancellation thereof;
3. To execute sign and seal and deliver any deed or instrument in writing as may be required by the Laws for the time being in force in the Republic of Kenya, to make effective any sale, transfer or lease of land or property and to do every other thing which may be necessary or proper for carrying any agreement or transfer into complete effect.
4. To register or file or cause to be registered or filed with or by any court officer,

transaction on the Grantor's behalf, this Power of Attorney and all such deeds and all such instruments and writings as aforesaid, and to do or cause to be done all acts and things required by the Laws for the time being in force in the said Republic to perfect and complete the same.

5. In all these matters to employ such Advocates and other professional advisers or agents and other persons as are necessary or as the Attorney shall think expedient and to pay them such fees and payments usual in the said Republic.
6. To settle, compromise and arrange or to submit to arbitration disputes arising out of any of the transaction aforesaid or wherein the Grantor shall be in any way interested or concerned and to commence and prosecute or appear in and defend all suits actions and proceedings arising out of the said transactions acts and things in which the Grantor shall be in any way interested or concerned and to consent or submit to or appeal against the judgment or order in any such suit action or proceedings.

Generally to do all acts and things which may be necessary to be done for rendering these presents valid and effectual to all intents and purposes and according to the laws and customs of the said Republic in relation to the properties of the Grantor, as the Grantor would properly have done if actually present.

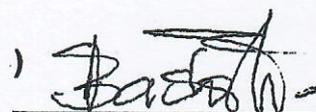
AND the Grantor hereby undertakes to ratify everything which the Attorney or any agent appointed by him under the powers hereinbefore contained shall legally do or purport to do by virtue of this Power of Attorney.

AND the Grantor hereby declares that this Power of Attorney shall remain in force and be of full effect until the Attorney shall have received notice of the revocation thereof.

IN WITNESS whereof the Grantor has hereunto executed this Power of Attorney this day of JUNE 2021.

Grantor
SIGNED by the said SALIM MOHAMED ABDULRAHMAN BASHEIKH)
This ... 8th ... Day of JUNE 2021)
In the presence of: -)

SAID H. MGUPU
ADVOCATE
P.O. BOX #1689-80106
MOMBASA

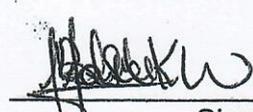

Signature



PIN Number: A005653750

ID Number: 23565057

Attorney
SIGNED by the said ABDULRAHIM ABDULRAHMAN BASHEIKH)
This ... 8th ... Day of JUNE 2021)
In the presence of HARRISON MURIITHI)
ADVOCATE & COMMISSIONER)
FOR OATHS)
PRACTICE NO: P.105/12508/16)


Signature



PIN Number: A004710729Q
ID NO: 22804410

Drawn & filed by:

Said Mgupu & Company.

Advocates

Wakf Commissioners Of Kenya, 1st Floor,

Behind Central Bank

P.O. Box 41689-80100

Mombasa

LAND TITLES REGISTRY - MSA.
REGISTRATION OF TITLES ACT
REGISTRY NO CR/PA NO: 211370
PRESENTED. 10TH JUNE 2021
Time 9:00 AM
Registrar of Titles

REPUBLIC OF KENYA
IN THE MATTER OF THE OATHS AND STATUTORY DECLARATIONS ACT, CAP
15 OF THE LAWS OF KENYA

AFFIDAVIT

I, **ABDULRAHIM ABDULRAHMAN BASHEIKH** as the legal and lawful attorney of **SALIM MOHAMED BASHEIKH** of P.O. Box 80840-80100 Mombasa, do hereby make oath and state as follows:-

1. That I am a citizen of the Republic of Kenya and holder of Identity Card No. 22804410
2. That I am the lawful and legal attorney of the said **SALIM MOHAMED BASHEIKH** the proprietor of plot number **MN/II/9126** (herein the property) the subject of this affidavit therefore competent to swear this affidavit. I hereby attach a copy of the Power of Attorney
3. That I am aware that there are existing encroachments by 5 swahili houses within the property.
4. That the encroachments have occupied a total area of 0.04 acres out of the total area of 2.94 acres.
5. THAT I hereby confirm that I shall not claim any compensation neither now nor in the future from the above mentioned area encroached and I fully understand that the value of the property has slightly decreased as a result of the said encroachments.
6. THAT I understand and fully agree that the compensation paid from the acquisition of the above property shall take in consideration the encroachments mentioned hereinabove.
7. THAT I now swear this affidavit in confirmation of the above stated facts to the National Government CDF Manager Kisauni Constituency.
8. That what is deponed herein is true to the best of my knowledge, information and belief.

SWORN at Mombasa by the said
ABDULRAHIM ABDULRAHMAN BASHEIKH
this 24th day of Kisumu 2021

BEFORE ME

COMMISSIONER FOR OATHS



Abdulrahman Basheikh
DEPONENT