

PLF DOC-3



THIS IS THE EXHIBIT MARKED  
MAA-26  
12  
WORTH BEFORE ME AT NAIROBI  
ON THE DAY OF

REPUBLIC OF KENYA

IN THE MATTER OF THE PRIVILEGES AND IMMUNITIES ACT  
CHAPTER 179 LAWS OF KENYA  
AND THE VIENNA CONVENTION ON DIPLOMATIC RELATIONS

AND

IN THE MATTER OF THE FORMER SOMALI EMBASSY AND DIPLOMATS

CERTIFICATE

PURSUANT to the Provisions of Section 16 of the PRIVILEGES and IMMUNITIES ACT CHAPTER 179 LAWS OF KENYA, I, HON. STEPHEN KALONZO MUYOKA, MINISTER OF FOREIGN AFFAIRS AND INTERNATIONAL CO-OPERATION OF THE REPUBLIC OF KENYA do certify that:-

1. Somalia became incapable of entering into diplomatic relations with the Republic of Kenya and of establishing or maintaining a diplomatic mission in Kenya when its civil authority collapsed on 26th January 1991 with the ouster of the former President, the late Siad Barre.
2. The Republic of Kenya has no diplomatic relations with Somalia and does not recognise the existence of the Somali Embassy and its former Diplomats in Kenya in terms of the Vienna Convention following the collapse of the Government or civil authority in Somalia in January 1991.
3. Mohammed Omar Aden, Muse Fahiye Hersi, Zeynab Ali Osman or any former Somali Diplomats accredited to the Republic of Kenya by the Government of Somalia do not enjoy any diplomatic immunity under the PRIVILEGES AND IMMUNITIES ACT CAP 179 Laws of Kenya and the VIENNA CONVENTION ON DIPLOMATIC RELATIONS.

DATED at NAIROBI this 21<sup>ST</sup> day of February 1995.

HON. B.K. MUYOKA  
MINISTER  
MINISTRY OF FOREIGN AFFAIRS AND  
INTERNATIONAL CO-OPERATION.

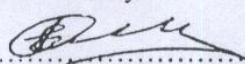


PERSONAL SEARCH ON L.R. NO. 1870/111/50 VOL. N14/336 FILE 7679

1. Assignment dated 1.4.1930  
John Abraham Landman, Wilt Crown and Walter Brian Tisdall to Hubert Reginald Stanton, 2.26 acs. L.R. No. 1870/50/III (Orig. 6/11 Sec. III) Upper Parklands Estate, Nairobi in consideration for K.Shs. 8000/-. Entry No. BDH/358/30 of 16.4.30.
2. Assignment dated 20.10.31. H.R.Stanton to Mrs. Ismay Gladys Rosemary Stanton. 2.26 Acs. L.R. No. 1870/50/III (Orig. 6/11 Sec. III) upper Parklands Estate Nairobi in consideration of natural love and affection and K.Shs. 10/=. Entry No. 2630 dated 29.10.31.
3. Memorandum of equitable mortgage dated 23.2.40 with National Bank of India (id Nairobi)  
Entry No. 426 dated 23.2.40.
4. Memorandum of Discharge of Equitable Mortgage dated 30.12.59 of No. 3 above.  
Entry No. 366.
5. Assignment dated 3.12.59 to Hubert Reginald Stanton for natural love, affection and Shs. 10/=. Entry No. 3607 dated 9.4.60.
6. Assignment dated 19.12.69 to Harbans Singh Ed Raimal parkash Amrit in consideration of K.Shs. 65,000/=.  
Entry No. 806 dated 19.12.69.
7. Assignment dated 12.4.73 to Government of Somali Democratic Republic for K.Shs. 550,000/=.  
Entry No. 563 dated 14.4.73.
8. Assignment dated 16.8.94 to Suleman Rahemtulla Omar and Zarina Suleman Omar as joint tenants for K.Shs. 15,000,000/=.  
Entry No. 753 dated 18.8.94.

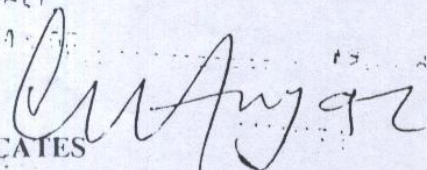
Signed by the Registrar of Land.

Extracted by:

  
 G.K. KURIA  
 LAW CLERK  
 MOHAMMED IBRAHIM & ASSOCIATES, ADVOCATES

Date: 17th MAY 1995

THIS IS THE  
MOSA HERSI  
REFERRER  
DECLARED  
24th MAY 1995  
MFH 1  
FAHVE





36  
DEMOCRATIC REPUBLIC OF SOMALIYA  
MINISTRY OF FOREIGN AFFAIRS

19th May, 1994

To: Ambassador  
Democratic Republic of Somaliya  
P.O. Box 30769,  
NAIROBI.

I am, pleased to inform you that the Government of Democratic Republic of Somaliya, has hereby given you the authority to sale the house/property of our Ambassador residence in Nairobi/Kenya, No. LR/1870/III/50, lower Kabete road, Westlands.

The sale of the above cited property, will enable to assist you and the Embassy staff to off set all the financial committements you incurred.

I hope that you take the necessary action.

Yours faithfully,

SAADHA MOHAMMED GULLEID  
CO-ORDINATOR OF FOREIGN AFFAIRS

TRANSLATION OF LETTER OF  
AUTHORITY DATED 19th MARCH 1990  
FOR SALE OF PROPERTY





JAMHUURIYADDA DIMUQRAADIGA SOOMAALIYA  
Wasaaradda Arrimaha Dibadda

13 MAY 1990

Tirsi  
Ujeddoo WAD/11/90

Muqdisho

Re: Danjiraha  
Jamhuuriyadda D. Soomaliya  
P O Box 30769  
NAIROBI

Barlasmada Soomaliya waxay ku Fareysaa in aad iibiso guriga Deganka ee Danjirah  
ee dalka Soomaliyaad ee dalka Soomaaliyeed ee Nairobi, No. LR/1870/111/50  
Lower Kabeta Road, Westlands.

Si loo xaliyo dhibaa Tooyinka, Dhinacyada deymaarika musharqooyinka sheqaalagh  
iyo adeegyada dhanka Kenya.

Salaam dii raan iyo wada shaalyn wacah.

Sheikh Mohamed Guled  
Wafirka Maslaxadda

I hereby certify this  
is the true copy of  
the original.



Ahmed Sheikh Mohamed

Ambassador of the Democratic Republic  
of Somalia



PLF DOC-12

Mohammed Ibrahim

1500

16.40 Hrs

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

CIVIL CASE NO. 1618 OF 1995

MUSA HERSI FAHIYE .....FIRST PLAINTIFF

MOHAMED OMAR .....SECOND PLAINTIFF

Versus

SULEMAN RAHEMTULLA OMAR.....FIRST DEFENDANT

ZARINA SULEMAN OMAR .....SECOND DEFENDANT

In Chambers on the 27th day of March, 1996 Before Honourable Justice Ole Keiwua

**ORDER**

UPON READING the application presented to this Court on the 25th March, 1995 by the Counsel for the Plaintiffs under Order 1 Rule 8 Order 39, rule 1,2 and 3 of the Civil Procedure Rules AND UPON READING the Affidavit of MUSA HERSI FAHIYE sworn on the 24th day of May, 1995, and the annextures thereto AND UPON READING the Affidavit of SULEMAN RAHEMTULLA OMAR sworn on the 6th day of June, 1995 and the grounds of objection filed therein AND UPON HEARING the Counsel for the Plaintiffs and the Counsel for the Defendants, IT IS ORDERED BY CONSENT:-

1. THAT the Defendants namely, SULEMAN RAHEMTULLA OMAR and ZARINA SULEMAN OMAR by each one of them, their Servants and/or agents or otherwise whatsoever be and are hereby restrained from selling, charging, disposing of or parting with possession of or in any other manner dealing with all that property known as L.R. NO. 1870/111/50 or titles thereto as to diminish value until further orders of this Honourable Court.
2. THAT the Defendants namely, SULEMAN RAHEMTULLA OMAR and ZARINA SULEMAN OMAR by each one of them, their Servants and/or agents or otherwise whatsoever be and are hereby restrained from demolishing any buildings, or erections, carrying out any structural changes of any buildings or erections, carrying out any renovation works, or reconstruction of any buildings, or erections or carrying out any construction works of any kind upon all that land and property known as L.R. 1870/111/50 until further orders of this Honourable Court.



3. THAT the Defendants do remain in possession.
4. THAT the Defendants do pay to the Plaintiffs their costs of this application.

GIVEN under my hand and the seal of the Court this 27th day of March, 1996.

ISSUED at Nairobi this 28th day of March, 1996.

*4R*  
**M. J. BHATT**  
DEPUTY REGISTRAR  
HIGH COURT OF KENYA, NAIROBI

I Certify that this is a true Copy  
the Original.

*[Signature]*  
Deputy Registrar  
High Court of Kenya

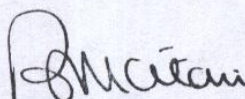
ALL FILES ABOUT - NAIROBI DISTRICT  
REGISTRATION OF VITALS ACT  
REGISTERED AS No. 12 66255/2  
Presented 26th June 96  
16-40H20



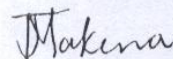
10. VALUATION

Bearing in mind the foregoing and subject to the terms of our instruction, we assess the value of the **Leasehold** interest in this property, in vacant possession and free from all encumbrances to be **Kenya Shillings One Hundred and Thirty Million (KShs.130,000,000)**

For and on behalf of  
KNIGHT FRANK



Bernadette Gitari  
M.A (Ppty Mngmt & Valuation)  
MISK, RV  
Chartered Surveyor



J. Makena Ogeto  
M.A (Ppty Mngmt & Valuation),  
MISK, RV



**Knight  
Frank**



20<sup>th</sup> February 2005

Mr Suleman R. Omar  
Omar Transmotors Ltd  
Baba Dogo Road, Ruaraka  
P.O Box 18043  
Nairobi

Lion Place, Waiyaki Way, Westlands  
PO Box 39773, Parklands  
Nairobi, 00623 Kenya  
+254-02 4440174/5/6  
+254-02 4440040 fax  
Dropping Zone: Mbogo Hse. Box 65

[www.knightfrank.com](http://www.knightfrank.com)

Dear Sir,

## **REPORT AND VALUATION**

In accordance with your instructions to prepare a report and valuation on the above leasehold residential property addressed to you, we have now carried out our inspection of the property have made such enquiries as we consider appropriate and have pleasure in reporting to you as follows.

### **1 Instructions**

We are instructed to provide a Market Value for the property.

Such values are as at the date of inspection and are to be in accordance with The Royal Institution of Chartered Surveyors (RICS) Statement of Asset Valuation Practice and Guidance Notes (The Red Book).

Our report provides details and necessary supporting commentary in respect of:

- a) Location
- b) Situation
- c) LR Number and Site Area
- d) Tenure
- e) Services
- f) General Description
- g) General Comments
- h) Valuations
- i) Photographs
- j) Location Plan
- k) Title Deeds and related matter

### **2 Inspection of the Property**

We inspected the property on Friday 10<sup>th</sup> February 2006



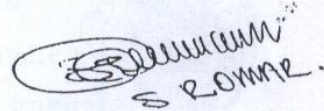
19  
20

SIGNED SEALED AND DELIVERED

by the said SULEMAN RAHEMTULLA  
OMAR and ZARINA SULEMAN OMAR  
in the presence of:-



K. S. BRAHMBHATT  
ADVOCATE  
P.O. BOX 47220 - NAIROBI.

  
S. ROMAR.

MRS. ZARINA SULEMAN OMAR

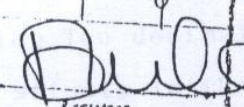
Drawn by:-

K.S. Brahmabhatt., Esq.,  
Advocate,  
P.O. Box 47220,  
NAIROBI.

REPUBLIC OF KENYA  
MINISTRY OF JUSTICE

U. 30/11/8-8, 1974

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K. S. BRAHMBHATT