



REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT NAIROBI
SUCCESSION CAUSE NO.73 OF 2005

IN THE MATTER OF THE ESTATE OF JOHN GITICHE MBAU – (DECEASED)

SILVIA WANGARI MBAU.....APPLICANT

VERSUS

SUSAN WANJIKU MBAU.....1ST RESPONDENT

ANTHONY GITICHE MBAU.....2ND RESPONDENT

SOPHIA WAIRIMU GATHUKI.....3RD RESPONDENT

R U L I N G

DISTRIBUTION BY COURT OF THE PROPERTIES THAT COMPRISE THE ESTATE OF THE DECEASED TO THE BENEFICIARIES IN THE PRESENCE OF BENEFICIARIES PURSUANT TO THE PROVISIONS OF THE LAW OF SUCCESSION ACT

(I) **LIST OF AGREED PROPERTIES**

- (a) LR. No. 11646/14 Ridgeways Estate ¼ acre – matrimonial house- six bedroomed house.
- (b) LR. No.Chinga/Gikigie/581/5 - 6.25 acres. Part of it has tea bushes – temporary structures erected.
- (c) LR. No.Chinga/Gikigie/777 - 0.81 Hectares (2 acres) – tea bushes.
- (d) LR. No. Othaya/Kiandemi/356 – 1.45 Hectare (Approx.4 acres) - tea bushes.
- (e) LR. No.Othaya/Kiandemi/357 - 1.57 Hectares (vacant).
- (f) LR. No.8285/1048 (Kariobangi Light Industries) - Building leased to Co-operative Bank.
- (g) LR. No.8285/1049 (Kariobangi Light Industries)

(h) LR. No.8285/1050 (Kariobangi Light Industries) – 5 shops.

(i) 1 share in Manyatta Paradise Ltd owns LR. No. Nairobi Block 72/2425 commercial shops

(II) Distribution to the Beneficiaries

(a) Shop A & B LR. No.8285/1050 to be inherited by Sophia Wairimu Gathuki.

(b) Shop D & E LR. No.8285/1050 to be inherited by Sylvia Wangari Mbau.

(c) Shops at LR. No. 8285/1048 and 1049 to be inherited by Antony Gitiche Mbau.

(d) LR. No. Chinga/Gikigie/581/5 to be inherited by Slyvia Wangari Mbau.

(e) LR. No. Chinga/Gikigie/777 to be inherited by Susan Wanjiku Mbau.

(f) LR. No.Othaya/Kiandemi/357 to be inherited by Sophia Wairimu Gathuki

(g) LR. No. Othaya/Kiandemi/356 to be inherited by Susan Wanjiku Mbau.

(h) Shares in Manyatta Paradise Ltd shall be inherited by Sylvia Wangari Mbau.

(i) Shop C on LR. No.8285/1050 shall be inherited by Susan Wanjiku Mbau.

(j) LR. No.11646/14 Ridgeways shall be sold and the proceeds therefrom be distributed equally between the nine (9) beneficiaries. Before the Distribution, Sylvia Wangari Mbau shall be paid the sum that she used to offset the loan at Barclays Bank Ltd. She shall supply proof of such payment to the court.

Susan Wanjiku Mbau shall give vacant possession of the Ridgeways house within ninety (90) days of the agreement of sale being entered with the prospective purchaser.

Susan Wanjiku Mbau shall not sell any of the two (2) rural properties distributed to her by the Court until the completion of the sale of the Ridgeways property.

(III) The certificate of confirmation of grant issued on 21st February, 2013 shall be rectified to reflect the above re-distribution.

Signed by:

The Beneficiaries

1. Slyvia Wangari Mbau - ID/No.*[particulars withheld]*
2. Susan W. Mbau - ID/No.*[particulars withheld]*
3. Antony Mbau - ID/No.*[particulars withheld]*
4. Sophiah W. Gathuki - ID/No.*[particulars withheld]*

AND

5. T. Wanjohi, Advocate for Sylvia W. Mbau
6. Musyoki Kimanthi, Advocate for Susan Mbau

DATED IN NAIROBI THIS 2ND DAY OF APRIL, 2014

L. KIMARU

JUDGE