

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT KITALE

P & A Cause 8 of 1999

IN THE MATTER OF THE ESTATE OF KIMANI GITUNDU ROBENSON – DECEASED

AND

MARY NJOKI KIMANI :::::::::::::::::::: PETITIONER

RULING

In view of the matters which have come out from the parties today, it is clear that whereas the court had sub-divided a total of 9.89 acres of land; and also whereas the court had acted under the mistaken notion that the said land was separate from the plot at Kiungani Centre, the parties are in agreement as follows;

- (a) The total estate is comprised of 8.9 acres, which is divided into two distinct portions one portion is 0.2 acres, whilst the other is 8.7 acres.
- (b) The deceased did not give to Rose a plot at Kiungani Centre, before his death. He had given her one (1) acre of land, within the farm.

In the circumstances, the final distribution of the farm within estate shall now be as follows.

- (1) Joseph Mwangi - 3.5 acres.
- (2) Simon Wanyika - 3.0 acres.
- (3) Rose Wanjiru - 2.2 acres.
- (4) Mary Njoki Kimani - 0.2 acres.

Total 8.9 acres.

Those are the final orders of this court on the issue of distribution.

Each part to bear his own costs.

F.A. OCHIENG.

JUDGE.

31/1/2008.