



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

FAMILY DIVISION

SUCCESSION CAUSE NO.1493 OF 2003

**IN THE MATTER OF THE ESTATE OF THE LATE HARUN KIVINDYO ISAI *alias*
KIVINDYO ISAI – (DECEASED)**

R U L I N G

Distribution by Court in the presence of beneficiaries

- (1) LR. No.31/II/66, Eastleigh Section 2 to be inherited by Stephen Wambua Kivindyo (1st house).
- (2) LR. No.36/I/247 Eastleigh Section 2 to be inherited by Peter Isai Kivindyo (2nd house).
- (3) LR. No.36/1/66 Eastleigh Section 1 to be inherited by Gideon Kitheka Kivindyo (1st house).
- (4) LR. No.209/2820/37 (Park-Road) to be inherited by Grace Nyambura Kivindyo.
- (5) Share in LR.No.36/III/1205 Eastleigh and $\frac{1}{4}$ share in LR. No.219/32 (IR95115) shall be sold and shared equally between all the beneficiaries.
- (6) LR. No.209/233/6 Kyethivo House shall be sold and the proceeds therefrom distributed equally between the eleven (11) units (Grace Nyambura Kivindyo shall have the first option to purchase). The parties to agree on a valuer and the valuation to be done within thirty (30) days.
- (7) LR. No.9450/5 (IR 22613) shall be distributed as follows:
 - (i) 250 acres including the homestead to Grace Nyambura Kivindyo.
 - (ii) The balance of 1114 acres shall be distributed equally between the 10 children of the deceased.
 - (iii) The land allocated to each beneficiary shall be reduced proportion to cater for the road of access and public utilities.
- (8) Makueni Kyathime/101 (48 acres) to be inherited by Josphine Wanza Kivindyo.
- (9) LR. No.365, Muthetheni (10 acres) to be inherited by Peter Isai Kivindyo and Stephen Wambua Kivindyo.
- (10) LR. No. Ndalani/Ndalani/Block 1/121R shall be inherited by Boniface Wambua Kilundu subject to the verification of the documents of purchase by the court.

- (11) LR. No. Ndalani/Ndalani Block 1/871, 872, 873, 874, 1212, 877, 888, 666, 701, 11 and 114 shall be inherited by the family of Robert Kivindyo (deceased).
- (12) LR. No. Kakuzi/Ithanga Block 1/252 measuring 5.7 acres to be inherited by Veronica Kivindyo.
- (13) LR. No. Kakuzi/Ithanga Block 1/594 to be inherited by Robert Muli (5.05 acres).
- (14) LR. No. Kakuzi/Ithanga Gituamba/Block 1/825 to be inherited by Veronica Kivindyo.
- (15) Commercial Building A – Ithanga to be inherited by Grace Nyambura Kivindyo.
- (16) Commercial Building B – Ithanga to be inherited by Stephen Wambua Kivindyo.
- (17) The motor vehicles KPB 939, KPN 237, KAG 031D and KAA 197S, shares in ICDC investments, Standard Chartered Bank Ltd, Nation Media Group, Kenya Commercial Bank Ltd, Kenya Commercial Bank Ltd Dividends Notice and Barclays Bank of Kenya Ltd shall be sold and the proceeds therefrom distributed equally between the eleven (11) beneficiaries.
- (18) All the monies held by Messrs Vishnu Sharma Advocate shall be withdrawn by the two Advocates and distributed equally between the Eleven (11) beneficiaries of the deceased.

Signed by:

Mutua Mboya, Advocate for the 1st Administrator

Fred Mutua, Advocate for the 2nd Administrator

DATED AT NAIROBI THIS 17TH DAY OF MARCH, 2014

L. KIMARU

JUDGE