



KISII UNIVERSITY
UNIVERSITY EXAMINATIONS

SPECIAL EXAMINATIONS
SECOND YEAR EXAMINATION FOR THE AWARD OF THE
DIPLOMA IN LAWS
SECOND SEMESTER, 2021/2022
(FEBRUARY - JUNE, 2022)

DLAW 0224: CONVEYANCING LAW

STREAM: Y2 S2

TIME: 2 HOURS

DAY: WEDNESDAY, 11:30 – 1:30 P.M.

DATE: 20/07/2022

INSTRUCTIONS

- 1. Do not write anything on this question paper.***
- 2. Answer question ONE (Compulsory) and any other TWO questions.***
- 3. Illustrate your answer with relevant cases and statutory provisions where applicable.***

QUESTION ONE

Juma Boy Ngao of national ID number 2789932 and Freshly Mwaburi of national ID 2345546 are interested in purchasing a piece of land LR No. KISII MUNICIPALITY/BLOCK III/999 measuring 0.99 Ha which is an absolute title registered under the Registration of Lands Act (repealed). The Title Deed reads that the proprietor of the land is KhamisiGecaga. Khamisi is disposing the parcel at Kshs. 1,000,000.

- Identify and explain at least seven Completion Documents that would be needed from the Vendor (14 marks)
- Draft the Transfer (16 marks)

(30 marks)

QUESTION TWO

Explain at least four roles of the Purchaser's Advocate in a conveyancing transaction

(20 marks)

QUESTION THREE

Explain the implication of the following discoveries by the Purchaser's Advocate during due diligence with respect to an intended purchase of property:

- (i) A charge of Two Million on the Title Deed in favour of a local bank;
- (ii) A caveat registered against the Title Deed;
- (iii) Property not having a Title Deed but has an allotment letter awarded to the intended Vendor;
- (iv) Title Deed for the property is still in the name of the Vendor's deceased father

(20 marks)

QUESTION FOUR

- (i) Discuss, giving at least three examples, the roles played by the National Land Commission in conveyancing transactions (10 marks)
- (ii) Discuss the role played by the Environment and Land Court in conveyancing transactions (10 marks)

QUESTION FIVE

Explain the roles of the following professionals in conveyancing transactions and land administration in Kenya. (20 marks)

- (i) Surveyor
- (ii) Valuer
- (iii) Estate Agent
- (iv) Physical Planner