

KENYA SCHOOL OF LAW  
TOWN CAMPUS LIBRARY

THE KENYA SCHOOL OF LAW



DIPLOMA IN LAW (PARA-LEGAL STUDIES)

2<sup>ND</sup> YEAR TERM III EXAMINATION

CONVEYANCING

16<sup>TH</sup> APRIL, 2015

DURATION: 2 HOURS

**Instructions to Candidates**

- (a) Answer Question **ONE** and **ANY OTHER THREE** Questions
- (b) Question **ONE** carries **25 Marks**
- (c) All other questions carry **15 Marks** each

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1. Kamau Kariuki has agreed with Maina Muriuki his neighbour to sell him half an acre of his one (1) acre land known as Limuru/Mabrouk Block 1/1599 for Kshs. 1.5 Million. This is to enable Kamau Kariuki meet his school fees obligation. Kamau Kariuki approaches you for the following advice;
  - a) How does he draw up a Sale Agreement that will give him enough time to sub-divide obtain new title deeds and still pay school fees on time:  
(10 Marks)
  - b) What documents must he have ready to enable Maina Muriuki complete the transaction?  
(8 Marks)
  - c) Kamau Kariuki has no money to do the sub-division and urgently needs Kshs.200,000 to pay outstanding fees in three weeks. Advise  
(7 Marks)
2. (i) Briefly explain the following forms of restrictions in relation to Conveyancing transactions:
  - a) Inhibitions  
(5 Marks)
  - b) Caution  
(5 Marks)(ii) What is a Power of Attorney?  
(5 Marks)
3. Land transactions involving sale and purchase, one way or the other, entail the involvement of Government.
  - a) Briefly explain how the Government is able to collect revenue from land transactions
  - b) What does the Government seek to ensure by the provision that change of rights and interest in land require registration?
4. Transfer of registered land only purports to effect a transfer as the actual transfer instrument is effected by registration.
  - a) Briefly outline the formalities to consider in drawing up a transfer  
(9 Marks)
  - b) What does investigation of a title entails and who undertakes it?  
(6 Marks)

5. The Law Society of Kenya Sale Agreement conditions (1989) set out guidelines for drawing up a sale agreement. Explain the following terminologies:
- a) Completion notice (5 Marks)
  - b) Special Conditions (5 Marks)
  - c) Completion date (5 Marks)
6. In order for conveyancing to be done properly, it is essential that it be done by Advocates. The vendor and purchaser each are advised to have separate Advocates to maintain high standards of competence and ethical conduct. Can the parties instruct the same Advocate? Discuss. (15 Marks)

