

## **HOW TO PURCHASE A LAND/ PLOT IN KENYA**

Everyone hopes to own a piece of land somewhere; it's the most valuable fixed asset that you could possibly own today. However, if you're planning to buy a piece of land anywhere in Kenya, there are certain important procedures which you should follow. Here are legal frame works to be followed;

### **Search and inspection of title deed**

Once you identify a piece of land, it's always acceptable that you should visit a land registry so as to conduct a search of the parcel questions. You will have a copy of land title deed from the seller to facilitate the search. This is usually takes some days to get the outcome of the real owner of the plot.

### **Price negotiation/offers**

Once the buyer is satisfied with the search results as presented by their advocate/lawyer from the land registry, then they will allow their advocate to prepare the offer. After agreeing, the advocate involved should prepare a letter of offer showing the details of the seller and purchaser, the description of the property and the proposed purchase price and modes of payment.

### **Mode of payment/ sale agreement**

Once you all agree the buyer and the seller, there's a need to ensure that the offer has both terms and condition included. It is normally drafted by the seller's advocate and presented to the buyer's advocate for approval. Upon the execution of the sale's agreement, the agreed deposit is paid by the purchaser through their advocate to the seller's advocate account.

### **Payment of land rates**

After sale agreement and deposits payment, the buyer should be aware of such property because the payment of rates on land is a legal obligation of land owners and the seller should clear any pending rates on the land before completing any transaction.

### **Consent to transfer**

The seller's advocate prepares transfer document that will be executed by both the buyer and the seller. The transfer document will only be executed after consent to transfer the land has been issued by the commissioner of lands.

### **Land valuation**

For any application for valuation, is always made to the government valuer, who makes a site visit to enable him/she to prepare the requisite valuation report. The stamp duty is always important while registering a property. The intention is to gauge the value declared in the instrument present for the registration for purpose of ascertaining whether the value declared in the instrument will raised or not.

### **Stamp duty payment**

It is the responsibility of the buyer to pay the stamp duty, a tax levied on all lands.

### **Registration of transfer**

Once the registration process is complete, the legal ownership of the land shall have legally changed hands.

### **Exchange of documents**

Upon the receipt of the complete document from the seller, the buyer is obligated, and there is exchange of documents to pay to the seller the entire balance against the land through his advocates to finalize the registration of the documents after paying the requisite stamp duty.