

The Abbreviated Resettlement Plans (ARAPs) for the Municipal solid waste composting Project in Fort-Portal Municipality (for Project Activities Land and Access Roads).
07th November, 2011.

The Municipal Solid Waste Composting (MSWC) for Clean Development Mechanism (CDM) was initiated in Uganda in 2005 as a project under the National Environment Management Authority (NEMA) with financial and technical support from both NEMA and the World Bank under the Environment Management and Capacity Building Project-II (EMCBP-11). The first phase involved 9 Municipal/Town Councils of Kabale, Mbarara, Kasese, Fort-Portal, Mukono, Jinja, Mbale, Soroti and Lira. The second phase is to bring on board Eight (8) additional Urban Councils of Gulu, Arua, Tororo, Busia, Entebbe, Mityana, Masindi and Hoima. The Municipal Council was responsible for acquiring the land where the composting plant was constructed and availed utilities such as power and water.

The purpose of the Abbreviated Resettlement Plans (ARAPs) is to record and make publicly available the information related to the acquisition of the land for the Environment Management and Capacity Building Project-II (EMCBP-II) composting component to ensure compliance with Operational Policy, OP 4.12 on the Involuntary Resettlement.

Copies of the corresponding Environmental Impact Assessments (E.I.As) and other information are available with the office of the Town Clerk of the above mentioned Municipality. However, copies are also available in the NEMA library (NEMA House on plot 17/19/21 Jinja Road, Kampala) and NEMA Website (http://nemaug.org/Clean_development_mechanism.php).

Below is a tabulation of location of the composting site and the land details in the Municipality.

	Date of acquisition	Land ownership type	Comments about the Land
Kitere Nyabukara Fort-Portal Municipality	25.09.2006	6 Acres of land on lease offer for forty nine years from Mr. Byenkya Absolom at UGX. 7 Million.	The Land title is being processed and there are no encumbrances on the Land.

Below are the agreements for the purchase of the project land.



The Republic of Uganda

Kabarole District Local Government
Natural Resources Sector
Land Management Department
P.o.Box 38, Fort Portal

THE LAND ACT, CAP 227

Regulation 23

THE LAND REGULATIONS, 2004

Form 18

REF: LWFP/

Block:Plot:

FRV/LRVFolio:.....

Land at; **KITERE NYABUKARA, FORT PORTAL MUNICIPALITY**

To: **FORT PORTAL MUNICIPAL COUNCIL**
P.O. BOX 29, FORT PORTAL

LEASE OFFER

(In case of land held by a district land board)

1. The district land board is in receipt of your application-dated **1ST/07/2006** for the above land located at **KITERE NYABUKARA, FORT PORTAL MUNICIPALITY**
2. Subject to your obtaining any necessary approval or consent required by law, the board has approved a lease in respect of the above land in a standard form on the following terms and conditions, subject to the Act and the Registration of Titles Act, and to payment of the required fees:-
 - a) Lease for an ~~initial~~/full period of **FOURTY NINE (49)** Years from **1ST/09/2006** and an extension to years
 - b) Rent for the first **TEN (10)** year(s) of lease shall be **UShs. 18,000** per annum payable in **TWO EQUAL TERMS ON 1ST JANUARY AND 1ST JULY** OR **MAY BE PAID FOR THE WHOLE YEAR ON 1ST JANUARY** AND THEN SUBJECT TO ASSESSMENT AT AN INTERVAL OF NOT LESS THAN **TEN (10) YEARS...**(terms of payment)
 - c) Building(s) of not less than **Ushs.** to be erected and completed fit for occupation and use to the satisfaction of the board (lessor) within **FIVE (5)** years from the date of commencement of the lease.
 - d) User to be restricted to **LAND FILL**
 - e) A premium of **Ushs. 180,000** will be payable
 - f) The lease shall include:-
 - i) a covenant that the lessee shall not, without the consent of the lessor in writing, deal in any way with his or her interest in the land before the lease is extended to the full term of **FOURTY NINE (49)** years;
 - ii) a covenant that the lessee shall insure the building(s);
3. Consent to transfer or assign or sub-let shall not be considered until the **LAND FILL** (main use of land) covenant has been fulfilled;

exceptions may be made by the executor or administrators of a deceased lessee.


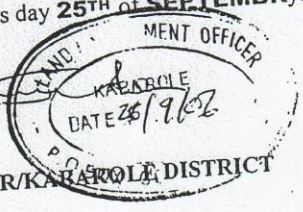
The offer is conditional on the terms and conditions of the lease being accepted within forty-five days of the date of this offer.

Acceptance shall be in writing to the commission and shall be accompanied by the following payments:

- i) Premium UShs. **180,000**
 - ii) Survey and mark stones UShs.....
 - iii) Preparation of a lease UShs. **10,000**
 - iv) Assurance of title UShs. **20,000**
 - v) Registration of a lease UShs. **10,000**
 - vi) Issue of certificate of title UShs. **20,000**
 - vii) Land agency UShs. **18,000**
 - viii) Rent **1ST/09/2006 to 31ST/08/2007** payable after survey UShs. **18,000**
- TOTAL UShs. **276,000**
Shs.....
Shs.....
- Less deposit paid (if any)
Balance payable (if any)

- 6. Stamp duty payable will be indicated on the draft lease agreement.
- 7. The offer is subject to land being available and free from disputes at the time of survey.
- 8. Minute number **KDLB.MIN.NO.03/2004(B)(1) OF 17TH JULY**

This offer is made this day **25TH of SEPTEMBER** year **2006**



ALINDA PETER
AG. LAND OFFICER/KIBALE DISTRICT

C.C. THE COMMISSIONER
LAND REGISTRATION
P.O. BOX 7061
KAMPALA

THE T/C/F/M/C

Appendix 7:

Land Purchase Agreement



THE REPUBLIC OF UGANDA

Fort-Portal Municipal Council,
P.O. Box 29,
Fort-Portal,
Uganda.

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Telegram :
Telephone:
Telex :
Fax : 22089
In any correspondence on
This subject please quote No

Date: 24th May 2005.

COMMITMENT

I Byenkya Absolom, of Kiteere village Kibimba Parish being desirous to sell my land measuring approximately 6 acres, do hereby acknowledge receipt of Shs. 3,500,000 (Three million, five hundred thousand Shillings only) from Fort Portal Municipal Council the intended purchaser.

The amount is a down payment on the said land and a commitment that I shall not enter into any further negotiations with another party in respect of the said land.

Fort Portal Municipal Council on the other part agrees to pay the balance of Shs. 3,500,000 upon completion of the required government procedures like valuation and surveying.

In witness thereof the parties have hereunder appended their signatures.

Dated this 25th Day of May 2005.

Signed;

MR. BYENKYA ABSOLOM

[Signature]
VENDOR.

WITNESSED BY;

MR. KANDOLE ANTHONY

[Signature]

FOR VENDOR.

TOWN CLERK
FORT PORTAL MUNICIPAL COUNCIL

TOWN CLERK
FORT PORTAL MUNICIPAL COUNCIL
PURCHASER

WITNESSED BY;
CHIEF FINANCE OFFICER



THE REPUBLIC OF UGANDA

Fort-Portal Municipal Council,
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[Signature]

FOR VENDOR.

TOWN CLERK
FORT PORTAL MUNICIPAL COUNCIL

TOWN CLERK
FORT PORTAL MUNICIPAL COUNCIL
PURCHASER

WITNESSED BY;
CHIEF FINANCE OFFICER

17 NOV 2004

KITEERE LC1
KIBIMBA PARISH
WEST DIVISION
15th Nov 2004.

TOWN CLERK
PORTAL MUNICIPAL COUNCIL
BOX 29.

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The Chairman LC1
Kiteere, Kibimba Parish.

*I strongly recommend
him.*

15/11/2004
Ruphi

e/maurice Kahweza Joseph

Dear Sir

RE: SELL OF LAND

re your Radio announcement on V.O.T of 4th Nov 2004 that council want to
have (buy) land for the dumping site ^{at a} distance between 5 to 10 kms, Im willing to sell
and which is in the range of 3km.

Therefore request you to come and inspect the land.

Yours truly,
[Signature]
Mukya Absalom