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24/6/2014
AT 1000HRS
CID KSIUMU

STATES

I am the above mentioned male adult aged 50 years. I am a civil servant working with the Ministry of Justice formerly I was the district Registrar Kisumu in the Ministry of Lands from September, 2011 to March 2014 before I was transferred to Nairobi as a state council at Justice Ministry H/quarters in the Attorney General's Chambers.

I do recall receiving documents of transfer for parcel number Kisumu/Konya/4794 and 5087 on 16th October, 2013 from one Vallery Jimoi Khazalwa (transferer) to John Odindo Ogilo, Oscar Ogilo Odindo and Staline Yuaya Odindo (Transferees). After perusing the following documents and finding them in order, we proceeded to effect registration to the transferee. (a) The transfer was properly drawn and executed by both the transferer and transferee before an advocate.

(b) Application for consent of the land control board for both properties had been signed by both the transferer and transferee.

© Letter of consent – authority to transfer the property had been issued by the chairman of the Land Control board for Kisumu Municipality.

(d) Copies of searches for the properties were annexed to show that searches had been contacted before appearance to the Land Control Board.

Later on 29th November, 2013 two police officers appeared before me with one RUDOLF GEORG MARQUARDT claiming that we had transferred his property fraudulently and without his authority. We asked him to produce title to his claim which he did. We enquired from him after retrieving the office documents how he was in possession of titles yet the property had been transferred to Vallery Jimoi Khazalwa and in normal cases such titles are supposed to be surrendered before issuance of new ones or unless what he was holding were forgeries. We also enquired whether he knew Vallery Jimoi Khazalwa whom he said was his former

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Kenyan wife. We also enquired whether he had a search from the company's registry to show that the company which had been registered before the transfer to Vallery Jimoi Khazalwa was his company. He produced CR 12 (COMPANY'S Registry Search) which showed that he was a shareholder together with another person and the he was a Kenyan. He also produced his passport which was German. We enquired from him how he was able to be registered as proprietor of free hold property in Kenya while he was a German without authority from the Office of President. He did not produce that authority nor explain his misrepresentation as regards his Nationality. He claimed that everything was done by his estranged wife Vallery Jimoi.

My instructions to the police officers were that they should investigate whether the titles held by RUDOLF GEORG MARQUARDT were genuine or forgeries and if they were genuine what really happened that Vallery Jimoi Khazalwa got herself registered in the green card without both parties consenting to the transfer.

That is all to state for now.

ROC. Signed by GEROGE GACHIHI.