|  |  |
| --- | --- |
| **Form LRA-53** | **(r. 67(1))** |

**REPUBLIC OF KENYA**

**THE LAND REGISTRATION ACT**

**THE LAND REGISTRATION (GENERAL) REGULATIONS, 2017**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Date Received | Presentation Book | Official Fees Paid |  |
|  | ………………… | No…………………. | Kshs. |  |
|  |  |  |  |  |
|  |  | **CHARGE** |  |  |
|  |  | **TITLE NUMBER ..................................................** | |  |
|  |  |  |  |  |
|  | **Date of Issue:** |  |  |  |
|  |  |  | |  |
|  | **The Chargor:** | *Give full name(s) and if corporate the registration number, if any* | |  |
|  |  |  | |  |
|  | **The Chargee:** | *Give full name(s) and company’s registration number, if any* | |  |
|  |  |  |  |  |
|  | **Principal** |  |  |  |
|  | **Amount:** |  |  |  |
|  | **Borrower** | *Include where lending is to secure a third party. Give full name(s) and if* | |  |
|  |  | *corporate the registration number, if any* | |  |
|  | **Supplemental /** | *Insert details of : the principal instrument(s); amount secured; duty paid* | |  |
|  | **Collateral to** | *and; stamp duty receipt number.* |  |  |
|  | **debenture (delete** |  |  |  |
|  | **as appropriate)** |  |  |  |

**THIS CHARGE** witnesses as follows:

1. The Chargor as legal and or beneficial owner **HEREBY CHARGES** to the Chargee the interest of the Chargor in the above Title as [a continuing security/term loan security] for the payment and discharge in full of all monies, obligations and liabilities covenanted to be paid or discharged or otherwise secured by this Charge.
2. The Chargor hereby authorises the Bank and its agents to register the security created by this

Charge in accordance with the provisions of the Land Act, 2012 and the Land Registration Act, 2012 to the satisfaction of the Chargee.

*Insert Additional Provisions as required by the law and the contract between the parties.*

**Acknowledgement of Effect of Section 90 of the Land Act, 2012**

Pursuant to the provisions of section 56 of the Land Registration Act, 2012, we, the Chargor hereby acknowledge that we understand the effect of Section 90 of the Land Act, 2012 and the chargee’s remedies under this Charge. This acknowledgement is signed on behalf of the Chargor by the persons witnessing the affixing of the Common Seal of the Chargor to this Charge.

|  |  |  |  |
| --- | --- | --- | --- |
|  | …………………………………................................................ | |  |
|  | Director | |  |
|  | ……………………………….................................................... | |  |
|  | Director/Secretary | |  |
|  | ……………………………………………………………….... | |  |
|  | *Attorneys’ signatures* | |  |
|  |  |  |  |
| **IN WITNESS WHEREOF** this Charge has been duly executed. | | |  |
| **Execution** | | |  |
|  | *All parties including the Borrower(s) must* |  |  |
|  | *execute.* |  |  |
|  | Sealed with the Common Seal of the Chargor |  |  |
|  | in the presence of: |  |  |
|  | ……………………………………………… |  | *Common Seal* |
|  | *Director* |  |  |
|  | ……………………………………………… |  |  |
|  | *Director/Secretary* |  |  |
|  | ……………………………………………… |  |  |
|  | *Advocate* |  |  |

**Verification of execution pursuant to Section 45 of the Land Registration Act**

**I** **CERTIFY** that ………………………................................................... and

……………………….................. being the persons witnessing the affixing of the Common Seal

of the Chargor appeared before me on ……………….. and being known to me/being identified

by ……. ……………………….. of ………………………......... freely and voluntarily executed

this instrument.

………………………………………………

Name and signature of person certifying

Signed by the duly authorised attorneys of the Chargee under and by virtue of Powers of Attorney registered at the District Lands registry as number …………… and ………………… and at the

registry of Documents at Nairobi as Number ……………. and …………………………

respectively in the presence of

…………………………………………………..

*Signature of bank official as witness*

**Verification of execution pursuant to Section 45 of the Land Registration Act**

**I** **CERTIFY** that ………………………………………………………... and

………………………………..…. being the duly constituted attorney(s) of the Bank appeared

before me on ……………………………. and being known to me/being identified

by…………………………….. of……………………….......... acknowledged the above

signature or mark to be his/hers/theirs and that he/she/they had freely and voluntarily executed this instrument and understood its contents.

…………………………………………………..

*Name and signature of person certifying*

**REGISTERED** this ………………. day of ………………..20....................

**ENTRY** in Encumbrances Section Number:…………....................

Seal……………………………………………….

**LAND REGISTRAR**

Name:………………………………… Registrar’s Stamp / No……………

Signature: …………………………………………..

**DRAWN BY:**

**Notes:**

\* Provide full name(s) and registered number Delete whichever is not applicable.

\*\*The person attesting the signature must authenticate the coloured passport size photograph, National ID Number and Tax PIN Number.

\*\*\* Attach a survey plan.