

Lawyer, govt valuer faulted in land sale

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KAMPALA. A lawyer and a government valuer have been faulted in a case involving the controversial sale of school property at Kitende on Entebbe Road without following instructions of the owner.

Appearing before the Commercial Court in Kampala yesterday, Mr Kenneth Karamagi Kabiito was tasked to explain the basis of estimating the size of land, whether the buyer, Mr Godfrey Kirumira, complied with the bid and the fate of movable assets.

Accused of flouting the terms of appointment, Mr Kabiito admitted that he executed a sale agreement without having the money remitted to dfcu Bank as required, but denied handling the movable assets.

"I had full cooperation of the debtors but I was not there when the movable assets were removed. I just notified them that I had sold the property because my interest was in land and buildings," he said.

Mr Kabiito, a receiver, was yesterday testifying in a case where he is jointly sued with dfcu Bank and Mr Kirumira over alleged undervalue and sale of the school through fraudulent means.

The case

Mr Stephen Sendagire and his wife, Ms Gladys Nannyombi, the former proprietors of Bright Future Vocational Senior Secondary School, filed the case since 2008 in the court, claiming dfcu sold their property worth more than Shs1.4b to Mr Kirumira at Shs300 million.

It is alleged that between May 2005 and May 2006, Mr Sendagire mortgaged the school at Shs460m but he was paid Shs315m in installments.

On Tuesday, Ms Lucy Kabenge, a valuation surveyor in the Lands Ministry, told court that she oversaw the transfer process of the property based on documentation without visiting it.

The practice is that before the transfer process is sealed, the concerned official has to first visit the physical location of the property to access it.

"I signed a document on behalf of the Chief Government Valuer for of stamp duty payment. The document was in regard to transfer of land at Bwebajja by the Commissioner Land Registration and the amount declared was Shs300m," Ms Kabenge said, adding that the documents indicated that there were no developments on the land.

The court before Justice Elizabeth Jane Alividza has set January 29 for hearing of defence evidence by the accused parties.