

Hon. John Munyes, EGH
The Cabinet Secretary
Ministry of Mining and Petroleum,
P.O. Box 30009, 00100,
Works Building, Ngong Road
NAIROBI, KENYA

Through:

Dr. Ibrahim Mohamed, CBS
The Principal Secretary,
Ministry of Mining,
P.O. Box 30009, 00100,
Works Building, Ngong Road
NAIROBI, KENYA

Dear Sir,

NOTIFICATION OF INTENTION TO ENTER INTO A COMMUNITY DEVELOPMENT AGREEMENT BETWEEN XYZ LIMITED, THE OLE SERENI COMMUNITY FORUM AND THE COUNTY GOVERNMENT OF KAJIADO

Following the gazettelement of the *Mining (Community Development Agreement) Regulations* in May 2017 and the requirement that all mining concession holders conclude a Community Development Agreement (CDA) with the affected community, we wish to notify you that we are in the process of commencing negotiations between the above parties with an intention to enter into a legally binding framework as envisioned by law.

The regulations gave a period of 18 months for holders of pre-existing mineral rights to comply. In light of this fact, the local community that is affected by the operations of XYZ Ltd. which comprises of four different communities drawn from the surrounding group ranches of Ole Sereni, Ole Shompole, Oldoinyo and Olkeri as established under the Land (Group Representatives) Act Cap 287 as revised in 2012 has come together to conclude a CDA. This is on the basis of our interpretation of Section 6() of the Mining (CDA) Regulations which envisages multiple communities.

The community, working with the County Government, shall table a draft text for the CDA that shall form the basis of our collective consultations and we invite your Ministry to provide any technical assistance that may be available to guide this process to its logical conclusion.

This letter therefore is to serve as an official notification under Section 5(2) of the Mining (CDA) Regulations that official negotiations shall commence with immediate effect with a view to having a binding agreement within the timelines set in the regulations from the date of this notice and to invite your office to offer the necessary support to the process.

Yours

H.E. Governor Joseph Ole Lenku, EGH
Sign

Managing Director
XYZ Ltd.
Sign

XYZ Community Forum Chairman
Sign

Cc: XXXXXXXXXXXX
County Commissioner
Kajiado County
P.O. Box XXXXXXXXX
KAJIADO.

XXXXXXXXXXXXXXXXXX
Chief, XXXXXXXXX Location
MAGADI