

L.N. 176 of 1960

THE LAGOS TOWN PLANNING ORDINANCE (CHAPTER 95)

The Lagos Central Planning Scheme, 1951

(Amendment) Order, 1960

Commencement : 10th November, 1960

In exercise of the powers conferred by section 24A of the Lagos Town Planning Ordinance (as part of the Laws of Nigeria 1948) the following Order was duly made by the Lagos Executive Development Board :—

1. This Order may be cited as the Lagos Central Planning Scheme, 1951 (Amendment) Order, 1960, and shall be of application in the Federal Territory of Lagos.

Citation and application.

2. Clause 4 of the Lagos Central Planning Scheme, 1951 (hereinafter referred to as the Scheme) set out in the Schedule to the Lagos Central Planning Scheme (Approval) Order, 1952 is amended by the deletion of paragraph (f) thereof and the substitution therefor of the following—

Amendment of the Lagos Central Planning Scheme, 1951.

“(f) The offer of land within the replanned area to the original owners thereof as far as it is possible to do so, at the gross cost of acquisition plus a surcharge of 20 per cent in accordance with section 56 (4) of the Ordinance and subject to the conditions, terms and requirements set out in the Fourth Schedule to the Scheme.”

3. The Scheme is amended by the insertion immediately after the Third Schedule of the following new Schedule—

Insertion of Fourth Schedule.

“FOURTH SCHEDULE (CLAUSE 4 (f)) CONDITIONS OF SALE, CONVEYANCING ARRANGEMENTS AND BUILDING COVENANTS

1. When upon the acceptance of an offer of allocation of plot part of the purchase price is paid by way of deposit and nothing further is done thereafter within a period of twelve months by the intending purchaser towards the completion of the sale, such deposit shall be refunded to the depositor whereupon the contract of sale shall determine provided a notice has been served on the depositor requesting him to complete the contract within thirty days from the date of such notice and the contract has not been so completed.

2. (i) In all cases of multiple ownerships where compensation is paid by the Board to any person acting under a Power of Attorney from those owners, the Board shall have the right to deal with such person in all matters of allocation and sale of plots to those owners as if the Power of Attorney contains stipulation and authority enabling such person to purchase allocated plots for and on behalf of the owners.

(ii) Persons to whom compensation shall be paid under the Scheme are those who, in the appropriate cases of multiple ownerships, are beneficiaries known to the Board after reasonable and diligent investigations.

(iii) In all cases of multiple ownerships, if the persons so entitled do not within nine months accept an offer of allocation of plot made to them or where they accept such offer of allocation but they cannot all be got together to execute a conveyance if and when such execution is deemed necessary such offer of allocation shall lapse and the Board thereafter may offer the plot to the person or persons next on its waiting list.

3. Allocation of plots by virtue of clause 4 (f) of the Scheme shall, unless otherwise agreed, be subject to the following conditions and stipulations—

(1) Any person or persons to whom a plot is allocated shall

(a) within eighteen months from the date of the conveyance to him commence and complete building on the said plot to the approval of the Board, and

(b) observe and perform such conditions, restrictions, stipulations and other requirements and regulations imposed by the Board.

(2) The foregoing provisions shall be binding upon those claiming through and under such person or persons aforesaid."

MADE by the Lagos Executive Development Board this 15th day of February, 1960.

K. A. ABAYOMI,
Chairman,

Lagos Executive Development Board

This Order was approved by the Minister of Lagos Affairs under section 26 of the Lagos Town Planning Ordinance (being Chapter 95 of the Laws of the Federation of Nigeria and Lagos 1958) this 17th day of October, 1960.

J. E. KING,
Acting Permanent Secretary,
Ministry of Lagos Affairs

EXPLANATORY NOTE

The purpose of the proposed amendment is to solve problems arising in the course of allocation of plots within the scheme area to original land owners. Express covenants in present conveyances of allocated plots make execution of such conveyances by purchasers necessary in order that they might be legally bound by the covenants and experience has shown that in case of multiple ownerships execution of such conveyances takes upwards of nine months. It has also been discovered that where a deposit has been paid by an intending purchaser, he sometimes fails to complete the sale.

The Order will facilitate sale and conveyancing of allocated plots within the Scheme Area, make conditions of such sale binding by operation of law, and also provide stipulation as to time within which to commence and complete buildings on allocated plots.

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