

**EFFECT OF OWNERSHIP RIGHT ON LANDED PROPERTY  
DEVELOPMENT**

**(A CASE STUDY OF IFELODUN LOCAL GOVERNMENT AREA, KWARA STATE)**

**BY**

**ABDULRAHMAN ABDULAZEEZ OMOALFA**

**HND/22/ETM/FT/280**

**BEING A PROJECT SUBMITTED TO**

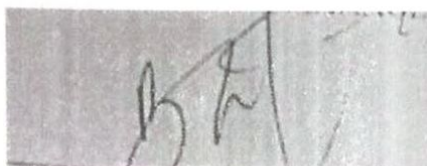
**THE DEPARTMENT OF ESTATE MANAGEMENT AND VALUATION,  
INSTITUTE OF ENVIRONMENTAL STUDIES , KWARA STATE  
POLYTECHNIC, ILORIN**

**IN PARTIAL FULFILLMENT OF THE REQUIERMENTS FOR THE AWARD  
OF HIGHER NATIONAL DIPLOMAL (HND) IN ESTATE MANAGEMENT  
AND VALUATION.**

**JULY, 2025**

## CERTIFICATION

This is to certify that this project was carried out by **ABDULRAHMAN ABDULAZEEZ OMOALFA** matric number **HND//22/ETM/FT/280**. The project was read and approved as meeting the requirements of the department of Estate Management and valuation of Environmental Studies. Kwara State Polytechnic, Ilorin for the award of Higher National Diploma in ESTATE MANAGEMENT.



**ESV. (ALH) HASSAN OLANREWAJU ABDUL**  
**(FNIVS, RSV)**  
(Project Supervisor)

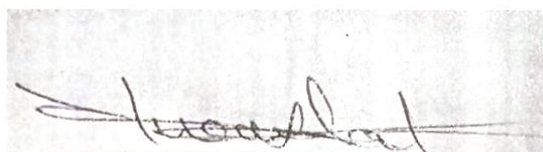
22/07/2025

DATE



**ESV. DR UWAEZUGKE NGOZI IFEANYI**  
**(ANIVS, RSV.)**  
(Project Coordinator)

DATE



**ESV. (ALHAJA) ABDULKAREEM RASHEEDAT**  
**(ANIVS, RSV.)**  
(Head of Department)

28/07/2025

DATE



**ESV. DR LUKUMAN MUSIBAU**  
**EXTERNAL EXAMINER**

22/07/2025

## DEDICATION

This project is dedicated to the Almighty ALLAH, for his infinite mercy on me throughout the duration of my study.

## ACKNOWLEDGEMENTS

All thanks to Almighty Allah who made all things possible for me. Honor and adoration for his guidance and protection since the beginning of my programme till the end.

Special thanks goes to my able project supervisor **ESV. (ALH) HASSAN OLANREWAJU ABDUL (ANIVS, RSV)** for his advice throughout the research by giving out his time in putting me through many things have know.

My appreciation goes to the head of department **ESV (Alhaja)Abdulkareem Rasheedat (ANIVS, RSV)**, including others **ESV. (DR) Uwaezuoke Ngozi Ifeanyi, ESV Abel Omoniyi Afolayan (FNIVS, RSV), , ESV Oladoja Olawale (ANIVS, RSV), ESV Lawal Simiat Bukola (ANIVS, RSV),,** and non academic staff for all their support in one way or the other. I pray may Almighty God reward you all.

I want to express my wonderful appreciation to my parents Mr and Mrs Ogundele who have been a backbone and agent to my success in life , I appreciate your financial support, ceaseless prayer and advice throughout the period of my programme..



## TABLE OF CONTENTS

Title page .....	i
Certification .....	ii
Dedication .....	iii
Acknowledgements.....	iv
Table of contents.....	v-vii
List of Tables.....	viii
List of Charts.....	ix
Abstract.....	x

### CHAPTER ONE

1.0 Introduction.....	1
1.1 Background of The Study .....	1-2
1.2 Statement of Problem.....	2
1.3 Research Questions .....	2-3
1.4 Aim and Objectives.....	3
1.5 Justification of The Study.....	3
1.6 Scope of The Study.....	3
1.7 The Study Area.....	4
1.8 Definition of Terms .....	5

### CHAPTER TWO

2.0 Introduction.....	10
2.1 Literature Review .....	10

2.2	Conceptual Framework.....	11
2.3	Theoretical Framework.....	23
2.4	Summary of Literature Review.....	24-25

### CHAPTER THREE

#### Research Methodology

3.0	Research Methodology.....	21
3.1	Introduction.....	21
3.2	Research Design.....	21
3.3	Data Types and Source.....	21
3.4	Instrument for data Collection .....	21
3.5	Target Population .....	22
3.6	Sample Frame.....	22
3.7	Sample Size .....	22
3.8	Sampling Procedure .....	22
3.9	Method of Data Analysis.....	22
3.10	Summary of Data Analysis -----	23

### CHAPTER FOUR

#### Data Presentation Analysis and Interpretation

4.0	Introduction.....	30
4.1	Data Presentation, Analysis and Interpretation .....	30

### CHAPTER FIVE

	Summary of Findings Conclusion and Recommendation.....	37
5.0	Introduction.....	37

5.1	Summary of Finding.....	37
5.2	Conclusion.....	38
5.3	Recommendation.....	38
	References	

## ABSTRACT

This project dissertation is to examine the effect on how right of ownership is being exercised on landed property land use act of 1978, section 6). The law makes provision for granting customary rights of occupancy to individuals, communities or corporate bodies are for the use of land in the local Government Areas for Agricultures, Residential and other purposes. This is done with the power of eminent domain vested on the Local Government Chairman of all the states in Nigeria over land in their jurisdiction. This have necessitated the desire of people to own, purchase, sells and acquire interest in land and landed property. These interests are to supervise, control, use of land and enjoyment are recognized and protected by law. The research will be divided into five (5) chapters, chapter one will deals with general introduction, statement of problem, aim and objectives, significance of the study, historical background of the study and definitions of terms. Chapter two will discusses about literature review and conceptual method of framework. Chapter three will contain the research methodology and data collection information from the study area will be collected through primary and secondary source. Primary sources will be collected by the use of questionnaires and field survey. The questionnaire will be analyzed using descriptive method of analysis; respondent in the study area will be selected and sampled. The respondents will be sampled using simple random sampling. Result from the findings will indicate the effect of ownership right on landed property development. Chapter four will deal with the data interpretation and analysis of results and discussion of findings, while chapter five will deal with the summary, conclusion and recommendation.



## **ABSTRACT**

This project dissertation is to examine the effect on how right of ownership is being exercised on landed property land use act of 1978, section 6). The law makes provision for granting customary rights of occupancy to individuals, communities or corporate bodies are for the use of land in the local Government Areas for Agricultures, Residential and other purposes. This is done with the power of eminent domain vested on the Local Government Chairman of all the states in Nigeria over land in their jurisdiction. This have necessitated the desire of people to own, purchase, sells and acquire interest in land and landed property. These interests are to supervise, control, use of land and enjoyment are recognized and protected by law. The research will be divided into five (5) chapters, chapter one will deals with general introduction, statement of problem, aim and objectives, significance of the study, historical background of the study and definitions of terms. Chapter two will discusses about literature review and conceptual method of framework. Chapter three will contain the research methodology and data collection information from the study area will be collected through primary and secondary source. Primary sources will be collected by the use of questionnaires and field survey. The questionnaire will be analyzed using descriptive method of analysis; respondent in the study area will be selected and sampled. The respondents will be sampled using simple random sampling. Result from the findings will indicate the effect of ownership right on landed property development. Chapter four will deal with the data interpretation and analysis of results and discussion of findings, while chapter five will deal with the summary, conclusion and recommendation.

## ABSTRACT

This project dissertation is to examine the effect on how right of ownership is being exercised on landed property land use act of 1978, section 6). The law makes provision for granting customary rights of occupancy to individuals, communities or corporate bodies are for the use of land in the local Government Areas for Agricultures, Residential and other purposes. This is done with the power of eminent domain vested on the Local Government Chairman of all the states in Nigeria over land in their jurisdiction. This have necessitated the desire of people to own, purchase, sells and acquire interest in land and landed property. These interests are to supervise, control, use of land and enjoyment are recognized and protected by law. The research will be divided into five (5) chapters, chapter one will deals with general introduction, statement of problem, aim and objectives, significance of the study, historical background of the study and definitions of terms. Chapter two will discusses about literature review and conceptual method of framework. Chapter three will contain the research methodology and data collection information from the study area will be collected through primary and secondary source. Primary sources will be collected by the use of questionnaires and field survey. The questionnaire will be analyzed using descriptive method of analysis; respondent in the study area will be selected and sampled. The respondents will be sampled using simple random sampling. Result from the findings will indicate the effect of ownership right on landed property development. Chapter four will deal with the data interpretation and analysis of results and discussion of findings, while chapter five will deal with the summary, conclusion and recommendation.



## **CHAPTER ONE**

### **1.0 INTRODUCTION**

#### **1.1 Background of the Study**

The term land has many interpretations, it must however be that list of definition is almost endless. Land means solid portion of the earth surface to a layman. Land can be defined as man's very existence. That is, land is covered by people to an extent that there is struggle for land in every available space at least for the creation of shelter. Also, land is fixed in supply (limited) and can neither be expanded nor increased to meet up with the ever - increasing populace. Thus, to the individual, land can mean privacy and security, therefore it was been referred to as the earth, soil or ground. (Smith, 2003)

However, conventional economist considered land as a factor of production which is absolutely a free gift of nature i.e. man did not create nor work for its existence.

Legally, land can be defined as the physical dimension to which variety and collection of rights is attached. In other words, it can be said to be any portion or part on the surface over which ownership right can be exercised. (Oseni, 2006)

Furthermore, it is said to be that the whole, economy of the nation rests upon. It is also regarded as the main source of wealth and an important source of economic power, which in turn is based on political power. While professionals in building industry gave diverse definitions to land in accordance with the way they view it and its functions to them. (Lawal, 2005)

Because of importance of land, the exercise of ownership rights gives rise to some problems within some communities, villages and towns in Nigeria today. Many homes were destroyed and many people lost their lives. The unavailability of a well - defined ownership right led to these crises. (Odudu, 2006)

However, the study will examine the past and present ownership rights and look for ways by which crisis associated with ownership right can be solved.

## **1.2 Statement of the Problem**

Landed property development plays a crucial role in urban planning, economic growth, and societal well-being. However, the effectiveness and efficiency of such development are significantly influenced by the rights of ownership associated with the land. The statement of the problem aims to address the multifaceted impact of ownership rights on landed property development. **Uncertain ownership structures:** The prevalence of unclear or disputed ownership rights often leads to delays and complications in property development projects. Lack of transparent ownership structures may deter potential investors and developers from engaging in development initiatives. **Legal and regulatory frame work:** Variability in ownership laws and regulations across regions may impede the streamlined development of landed properties. Inconsistent legal frameworks can create ambiguity, affecting decision-making processes and the overall feasibility of development projects. **Access to Financing:** Ownership rights influence the ability of property owners to secure financing for development projects. Insecure or unclear ownership titles may pose challenges in obtaining loans, hindering property owners from maximizing the development potential of their land.

## **1.3 Aim and Objectives**

This project dissertation is aimed at critically examining the way by which ownership rights is being exercised on landed property development within Ifelodun Local Government Area Kwara State.

To achieve the aim objectives are adopted:

- i. To examine the process and procedure by which ownership right in landed property are obtained.
- ii. To examine the past and present ownership right
- iii. To examine the properties developed within 2011 to 2022 in the study area
- iv. To examine the effect of ownership right on properties development in the study area.



#### **1.4 Scope of the Study**

The scope of the study is to examine how the ownership rights for the people and residence within the jurisdictions of Ifelodun Local Government Area was either he inherited, gifted, issued or granted.

In the light of these, it was limited only to the chief, head of the each family and department of land as ease may be in Ifelodun Local Government Area in Kwara State..

#### **1.6 Justification of the Study**

In view of present rapid urbanization and population growth, the need arises for general public that are already owned or anticipate to own land, to know the importance of ownership

This study is just as well enabling the people of Ifelodun Local Government their various uses in the areas. These uses may be for residential, industrial, recreational, or agricultural use. It will equally enlighten the people within the area to know their rights and also know who to go to when the need of land arises for their various purposes.

The study will further give direction towards the rights channels in processing the appropriate ownership rights in landed property.

#### **1.7 Study Area**

Ifelodun is a local government area in Kwara state whereby the council is made up of district and communities. The headquarter of Ifelodun is Share town.

Ifelodun is also among one of the local government areas in Kwara state that is occupied by Yoruba and the local government practices Islam, Christianity and traditional religion. Most of the Ifelodun domain was overtaken by the Aforju/Alimi era. Their working hour is always between 8am-4pm from Monday to Friday

There are various Nigerian businesses that have been registered in the local government and Ifelodun is also different in two regional (town and village)

## 1.8 Defination of Terms

Estate management profession uses phraseologies that are employed by its professionals. This write up will employ such terms and so, these are defined below:

- ❖ **Certificate of Occupancy:** A certificate of occupancy is a land title document that is issued by the government to the land owners, as a legal proof of land ownership in Nigeria. A plot of land or property without a C of O can be confiscated at any time without any compensation paid. (Patunola, 2006)
- ❖ **Development:** is defined as a process rather than an outcome, it is dynamic in that involves a change from one state or condition to another. Ideally, such change is a positive one, an improvement of some sort (for instance, an improvement in material health) Furthermore, development is often regarded as something that is done by one group (such as a development agency) to another (such as rural farmers in a developing country). This demonstrates that development is a political process, because it rises, because it raises question who has the power to do what to whom (Adans, 2009),
- ❖ **Estate:** An estate is the net worth of a person at any point in time alive or dead. It is the sum of a peso's assets - legal rights, interest and entitlement to property of any kind, less all liabilities at that time ( Ogunba, 2007).
- ❖ **Land:** land is not merely land in the strict sense of the word, but whole of the material and forces which nature gives freely for man's aid in land, water, in air, light and heat (Marshall, 2010).
- ❖ **Ownership:** ownership is the state or fact of legal possession and control over properly, which maybe, any asset, tangible or intangible ownership can involve multiple rights, collectively referred to as title, which may be separated and held by different parties (Smith, 2003)
- ❖ **Possession:** possession, in law, the acquisition of either a considerable degree of physical control over a physical thing, such as land or chattel, or the legal right to control intangible property, such as a credit with the definite intention of ownership with respect to land and whittle, possession today is often an abstraction (Anthony, 2008)

- ❖ **Real Property:** real property is the land, everything that is permanently attached to the land, and all of the rights of ownership, including the right to possess, sell, lease and enjoy the land. Real property can be classified according to its general use: residential, commercial, agriculture, industrial or special purpose. In order to understand it you have the right to sell your home, you need a cluster of rights. It is the binding of various rights such as the rights to the use and enjoyment of land, the right to take income arising from land and also to alienate or transfer land to know which rights you possess or don't possess in the property (Ifediora, 2002)
- ❖ **Right of Occupancy:** right of occupancy is an intermediate form between a rental apartment and an owner occupied apartment, for the resident, it is as secure a way to live as living in a home they own. as the owner of the building cannot terminate the right of occupancy or make it only has been built in Finland since 1991 (Ajayi, 2009)
- ❖ **Title:** is an intangible construct representing a bundle of rights in (to) a piece of property in which a party may own either a legal interest or equitable interest (Osaji, 2006)
- ❖ **Right:** rights are legal, social, or ethical principle of freedom or entitlement, that is right are the fundamental nor mature rules about what is allowed of people or owed to people according to some legal system, social convention, or ethical theory, (Adeniji, 2007)



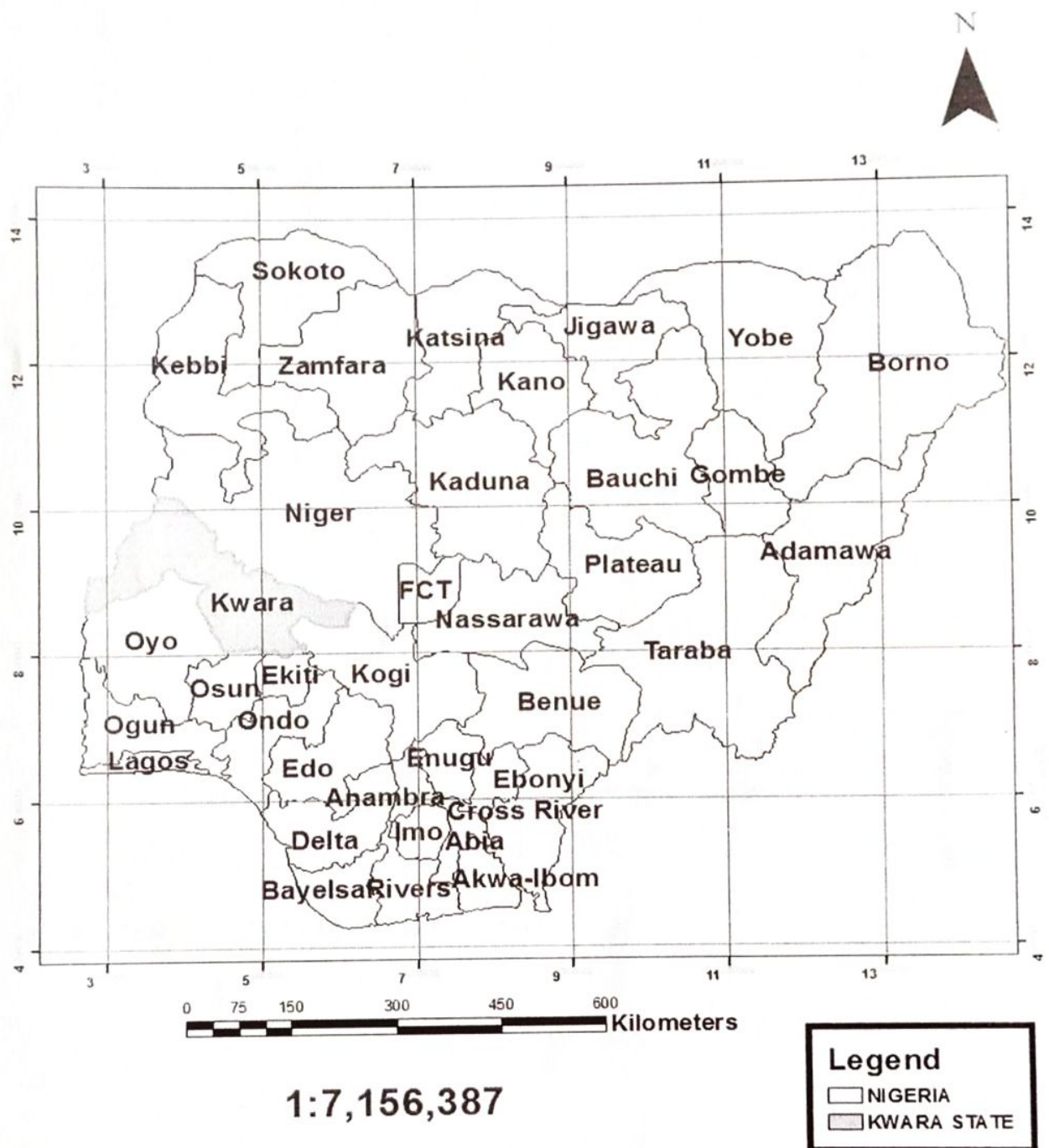


Fig 1: MAP OF NIGERIA SHOWING KWARA STATE.





## **CHAPTER TWO**

### **LITERATURE REVIEW**

#### **2.1 CONCEPTUAL FRAMEWORK**

##### **INTRODUCTION**

The law of property regulated rights or interest on land. Land in its physical state is not capable of ownership. Land rights exist in varying degrees usually denoted the world title.

In legal parlance, title connotes the existence of facts from which the right of ownership and possession can be inferred, limitation being only in terms of time. It is the degree of control and forms of control, use and enjoyment that are recognized and protected by law.

Title may be absolute or restricted. The former is synonymous with ownership, while the latter may amount to possession, a mere subtraction from, but part of a superior title. A claim to title may be original or derivative. Original title creates a right "de novo" and may be acquired through self help, such as settlement. A derivative title is acquired through transfer of an existing right to another, either absolutely or subject to condition. In other cases, however, the fact, which vests the right in holder, is title. A more occupational right does not vest title in any way. Except, there isN "animus possi "dendi" (i.e the intention to exercise exclusive possession) amounting to a single and exclusive possession in law.

#### **2.2 CONCEPT OF OWNERSHIP RIGHTS IN LANDED PROPERTY**

To further expound on ownership rights, there are conditions necessary for example for ownership rights over land. They are:

1. OWNER: a group of people or a person who must be capable of exercising the right of ownership. The owner is he who has dominion of a thing real or personal, corporeal or incorporeal, which he has a right to enjoy and to do with as please, even to spoil or destroy it, as far as the law permits, unless he is been prevented by some agreement which restrains his rights (Wikipedia)

## **CHAPTER TWO**

### **LITERATURE REVIEW**

#### **2.1 CONCEPTUAL FRAMEWORK**

##### **INTRODUCTION**

The law of property regulated rights or interest on land. Land in its physical state is not capable of ownership. Land rights exist in varying degrees usually denoted the world title.

In legal parlance, title connotes the existence of facts from which the right of ownership and possession can be inferred, limitation being only in terms of time. It is the degree of control and forms of control, use and enjoyment that are recognized and protected by law.

Title may be absolute or restricted. The former is synonymous with ownership, while the latter may amount to possession, a mere subtraction from, but part of a superior title. A claim to title may be original or derivative. Original title creates a right "de novo" and may be acquired through self help, such as settlement. A derivative title is acquired through transfer of an existing right to another, either absolutely or subject to condition. In other cases, however, the fact, which vests the right in holder, is title. A mere occupational right does not vest title in any way. Except, there is no "animus possi dendi" (i.e the intention to exercise exclusive possession) amounting to a single and exclusive possession in law.

#### **2.2 CONCEPT OF OWNERSHIP RIGHTS IN LANDED PROPERTY**

To further expound on ownership rights, there are conditions necessary for example for ownership rights over land. They are:

1. OWNER: a group of people or a person who must be capable of exercising the right of ownership. The owner is he who has dominion of a thing real or personal, corporeal or incorporeal, which he has a right to enjoy and to do with as please, even to spoil or destroy it, as far as the law permits, unless he is been prevented by some agreement which restrains his rights (Wikipedia)



2. OBJECT TO BE OWNED: object must have economic values. An object such as land that is free in supply does not command value. There are no special privileges accorded to the owner of object lacking value. The modern world has advanced such that the states (Nations) claim ownership of all "free" land within their regions or territories. The move restricts its supply to private owners, thereby according value to lands, buildings and property generally
3. INTENTION TO OWN: intentions are mental states in which the agent commits themselves to a course of action. The action plan is the content of the intention, while the commitment is the attitude towards the content (Wikipedia)
4. PERSON WITH COMPETITIVE RIGHTS: in general, competing human rights involve situations where parties to a dispute claim that the enjoyment of an individual or group's human right and freedom, as protected by law, would interfere with another right and freedoms. This complicates the normal approach to resolving a human rights dispute where only one side claims human rights violation. In some cases, only one party is making a human rights claim, but the claim conflicts with the legal entitlement of another party or parties (Ontario Human Rights Commission).
5. LAW: property rights can only be exercised within the jurisdiction of the laws and customs prevailing in that geographical territory. Legal codes are postulated by the court of law, whilst enforcing agencies such as the town planning authority are constituted which impose legal decisions made by the judiciary. Therefore, the essence of ownership lies in rights which law or custom will uphold

In Nigeria, the Land Use Decree (ACT) No. 6 of 1978 controls land and its appendages. Herein, all legal issues such as powers of local government in relation to land not in urban areas, power of the military government in relation to land. Restriction on right of person under age 21: special contracts, certificate of occupancy, power of military governor to grant licenses to take building materials, duty of occupier of statutory right of occupancy to maintain beacons, exclusive rights of occupier, the right to improvements.

All of these are according to section 11 of the Decree No, 6 of 1978. These are the conditions which are necessary for ownership in landed property.

Furthermore, ownership connotes an infinite and absolute right on land. When the right of a claimant to possess use and dispose of land is not subject to or restricted by the superior right of another person, the right of ownership is said to be vested in him it has been said however, that the owner of a thing is not necessarily the person who at a given time has the whole power of use and disposal, since there may be no such person, it suffices if the person has the residue of all such powers. 'A' the owners of Blakacre does not necessarily lose his right of ownership on the merely because "B' is let into possession and use of then land as a tenant since "A' still has a reconcile right to possession and may come into occupation and put the land to use by terminating tenancy

Every legal system design for itself the incidents of ownership for example, the concept of ownership in modern English law has an allodia character. The allodia ownership of all land in England is vested in the crown and in the result, a subject can have no more than a right to occupy and use land for period of time which may be finite and infinite. The right to occupy and use land is by the complimentary doctrine of estate transformed into ownership with all the incident of that concept. Thus, while a subject can own an estate in land, he cannot own the physical land.

### **2.3 LAND OWNERSHIP IN NIGERIA**

In Nigeria, the concept of ownership varies in concrete application. Before the land use act 1978, there were at least four source of ownership land namely, communal, family, individual and state ownership respectively.

#### **1. COMMUNAL AND FAMILY OWNERSHIP**

Communal and family ownership of land are often connected with the indigenous form of land holding in Nigeria, like in other African countries. Whilst in *Amodu Tijani V. secretary of southern Nigeria* the statement of his Lordship on individual ownership of land is accurate representation of the indigenous ownership structure in Nigeria. The emphasis on communal and family ownership is widely acclaimed as a true reflection on the indigenous system of land



holding. Communal ownership evolved from communal land acquired for the use of the entire community through settlement in the distant past by a named founder, exercising the right of ownership jointly with the entire community, or through conquest following a war in which case, the conqueror through uninterrupted acts of possession. The land however ensures for the benefit of members of the community, who are entitled to acquire positions of the said land usually for agricultural purposes with the formal consent of the community followed by a formal grant made to the individual by the political authority.

## **2. INDIVIDUAL OWNERSHIP**

Individual ownership of land under customary law has been known to exist from the outright grants often made by the chief or head of the family. The fact that a plaintiff in an action for declaration of title to land is expected to trace his right back to a point in time when the position was allotted to his ancestor out of communal property lends credence to the existence of that source of ownership of that source of ownership under the indigenous system of land holding. Outside customary law, individual ownership may evolve by act of government in the form of state or the exercise of executive power. Examples are crown grants made in the Lagos area after the treaty of cession and state grants to individuals of portion of the state land.

## **3. STATE OWNERSHIP**

State ownership of land in Nigeria dates back to the treaty of cession of 1861, which ceded the colony of Lagos to the British crown, subject to the customary right of the local people. The need to acquire land for agriculture and industrial development led to the promulgation of different land acquisition statutes under which individuals and communal land rights were compulsorily acquired in different parts of the country.

### **2.4 ENABLING LAWS**

Due to the importance attached to the right of ownership, various laws had been promulgated in the past and have been in operation before the advent of the present law in force throughout the federation (Land Use Act No. 6 of 1978).

In 1992, the land and native right ordinance was replaced in the former northern Nigeria and replaced by the land. Tenure law governing the land tenure system in that area before the



enactment of the land use act. Under that law, all native lands including rights over them are under the control and subject to the disposition of the permanent secretary

The land was held and administered for use by the natives, but non natives acquired no title to the occupation and use of such land without the consent of the permanent secretary.

With the advent of the land use act 1978, the ownership structure in Nigeria has been radically transformed. The radical title to all land within the territory of a state in Nigeria having been invested in the Governor of the state, what Nigerians enjoy are rights of occupancy, so that the concept of ownership of land in Nigeria today may be constructed in terms of right of occupancy

A claim to ownership of land may be established in any of the five main ways laid down by the Supreme Court in *Idundun V. Okumagba* as follows:

- a. By traditional evidence in the form of traditional history
- b. By production of document of title which must be proved, unless they are produced from proper custody in the circumstance giving rise to the presumption in favour of the execution in the case of document 20 years old or more at the date.
- c. Acts of persons claiming the land such as selling, leasing or renting out all or part of the land, or farming on its or on a portion of it, provided the act extend over a sufficient length of time and are numerous and positive enough as to warrant the inference that the person is the true owner.
- d. Acts of long possession and enjoyment of the land
- e. Proof of possession of connected or adjacent land, in circumstance rendering it probable that the owner of such connected or adjacent land would in addition, be the owner of the land in dispute.

## **2.5 TYPES OF OWNERSHIP RIGHTS IN LANDED PROPERTY**

In Nigeria, the forms of ownership in Northern and Southern part are different from each other and are discussed below.

## **1. NORTHERN NIGERIA**

In Northern Nigeria, these are native laws guiding land ownership. But in 1962 their native rights was cancelled and replaced by the land tenure law cap. 59, laws of Northern Nigeria 1963. This new law declared all land in the community to be native lands

The administration and ownership belong to everybody for use and common benefit of the populace. The ministry of town and regional planning was in charge to give a legal consent to whatever use that will be suitable. There were only two titles recognized to native land

- a. Customary title of native community using land in accordance or in agreement with native custom.
- b. A standing title granted by a public officers or native authority under the provision of the law to any person. This is defined in the law that is used in the Northern part of Nigeria. It is granted on prescribed terms for a period of ninety-nine year. Depending on the type of improvement offered and backup by a certificate of occupancy

Right of occupancy would not be granted outside approved government layouts, unless for certain special purpose. All laws must have been complied with before the consent is granted. Approval, the ministry of town and regional planning prepared a plan and description of the land that are enclosed certificate of occupancy

## **2. SOUTHERN NIGERIA**

This is just customary land tenure system in southern Nigeria, other local statues concerning land before the promulgation of land use. Decree include the property and conveyance law cap 100, ACE, of western Nigeria 1959, the land registration Act cap 99, law of the federation of Nigeria and Lagos 1958, the land instrument registration law cap 56 (west); cap 72 (East), cap 58 (North) cap 64 (Lagos) the registration of title land for the use of the whole community. As earlier stated, the land use decree brought in stability and put an end to the on ending question relating to ownership and control of land and its rights



## **2.6 REASONS WHY OWNERSHIP RIGHTS IS NECESSARY**

Ownership rights are necessary on landed property due to the importance of land itself to both government and individual. Because man activities are conducted or carried out on land. Land is a platform on which all human activities are performed without land, there is no life. From the economic point of view, the demand for land cannot be met with adequate supply due to its characteristics, that is fixed in location and limited in supply.

These therefore, can be seen as one reason for issuing and granting ownership rights in landed property due to the inadequacy of the market to make available land needed for both government and individuals in sufficient quantities and in the required location at the appropriate time.

More so, where a person does not have a valid title on his land, he cannot assert or effectively transfer some on the strength of a certificate of occupancy, since the certificate is only evidence of title.

Ownership rights are necessary on landed property for settlement of dispute that are normally arise in the absence of ownership rights. A right of occupancy whether statutory or customary creates priority of estates, so as to render null and void any subsequent certificate of occupancy issued in respect of the same parcel of land, unless the right of occupancy is usually revoked by the appropriate authority, before the issuance of a certificate of occupancy in respect of that same parcel of land to another person.

It also serves as security for any form of assignment. Mortgage, sublease or transfer of possession of landed property. As seen above, the reason for ownership right is inevitable as far as development is concerned. It is also a form of public control over land and landed properties.

## **2.6 SIGNIFICANCE OF OWNERSHIP RIGHTS IN LANDED PROPERTY**

Ownership is the rights vested in one person referred to as the owner to exclude others. It also consists of legal requirements bordering on the owner. While the right is usually referred to as a cluster of rights. It is the binding of various rights such as the right to use and enjoy land. The right to take income arising from land/landed and also to alienate or transfer land/ landed property.

Since land has been established as an indispensable basic need of man and a source of wealth, therefore ownership rights is a guard on how to make conveyance simple, cheap, speed and reliable by obviating most of the difficulties and hazard which both vendor and purchaser of land is exposed under the absence of ownership rights

By the issuance of ownership right, a land/landed owner wishing to alienate his land/landed property must be able to demonstrate proof of his title to the satisfaction of his purchase, which necessarily entails the tracing of his title from the first owner of the land or to a person whose membership is undisturbed. In the case of ownership rights once the title has been investigated and on the certificate of occupancy proof of title becomes easy, as the ownership rights is the evidence of title.

### 1.11 SUMMARY OF LITERATURE REVIEW

S/N	AUTHOR DATE	OBJECTIVE OF STUDY	FINDINGS
1.	Nwanbuize B.O 1972	Nigeria land law. Family property is describe as the smallest unit in the body policy which is variously composed of a man, his wife or wives and children	This talks about the formation of family which could be created in any of this Klhen a laud owner dies his property becomes the family property of his heirs partidoning of family property i.e. division of laud for purpose like ownership
2.	Olawoye (1974)	Acquisition of original little to land and how to derive title	Land may be acquire through <ul style="list-style-type: none"> <li>- Conquest</li> <li>- Grant e.t.c.</li> <li>- First settlement</li> <li>- Inheritance</li> <li>- Gift</li> <li>- Allocation</li> </ul> The attitude to land owner has led to observe to the view that land was inalienable under customary law

3.	Druker P.F (1980)	The term development generally a material picture of erection of building and other structures upon land warranted by a change or significant intensification of the uses of land	This means anything of any quality permanently attached to land directly from the expenditure of capital or labour by an occupier
4.	Odudu	Impact of student population on commercial property value	(i) Disparity in wealth (ii) Loss of farmland (iii) Poor air Quality (iv) Increase in temperature (v) Energy inefficiency (vi) Impact on water quality and quantity
5.	Aloko	Housing and urban development	(i) Population (ii) Spatial expansion (iii) reversing the trend (iv) Population growth rate (v) Impact of urban growth (vi) distribution of population
6.	Adebayo	Causes of urban growth and sprawl	(i) Speculation (ii) Expectations of land appreciation (iii) Industrialization



			(iv) Economic growth (v) Physical geography (vi) Expectation of land appreciation (v) Land hunger attitude
7.	Ajayi	Concept of property development	Property development involve a wide range of activities and processing form purchasing land to building and developing facility on the continue reconfiguration of the bault environment to meet society need, property development also called estate development is essentially the process of developing building or land into high like value.

Source: Authors compilation (2025)

## **CHAPTER THREE**

### **RESEARCH METHODOLOGY**

#### **3.1 INTRODUCTION**

The research methodology is designed purposely to achieve the aim of this project and it obtains useful information for this research work, and this chapter generally deals with the method and procedures adopted in carrying out the study

#### **3.2 RESEARCH DESIGN**

Research design is simply the process of arriving at a dependable solution to problem through planned systematic collection and analysis and interpretation of data. It involves organizing, collecting and analyzing of data to fulfill the purpose of the research and also to provide the necessary information required (Davidson 2004)

#### **3.3 SOURCE OF DATA**

To achieve the aim and objective earlier above there was the need for the Writer to collect adequate information, which will enable him to achieve or arrive at reasonable and meaningful report as regard to the topic "An effect of ownership right on landed property" for collection of information used for this research work were obtained mainly from both primary source and secondary source

#### **3.3 POPULATION OF THE STUDY**

Population is a set of individual case or object with some common observable characteristic that differentiate it from other population, the target population of the study are some of the staff of the staffs of the land department, with their answer, I can be able to get in sight into the process and procedure for insuring of ownership right on landed property.

##### **3.4.1 PRIMARY SOURCE:**

Information were gathered by conducting local interview with some of the staff of land department, with their answer, i can be able to know more about the processes and procedure for insuring of ownership rights on landed property

### **3.4.2 SECONDARY SOURCE:**

The secondary source employed during the preparation of this write up were from intense literature review some relevant textbooks, journals, concerning the project topic and consultation of information already prepared by the staff of the department of land in Ifelodun local government area, concerning the effective of ownership right on landed property.

### **3.5 SAMPLE FRAME**

This is the source material or device from which a sample is order i.e. individual, households or institution, in order to have reliable and adequate information for the purpose of this research (10) questionnaire were administered for the individual owner of the land within the study area (Ifelodun local government area) and staff of Kwara state ministry of land which was considered the representative of the whole population

### **3.6 SAMPLE SIZE**

In any research work there must be a specified number of people the researcher will need to give questionnaire and interview for the research work In this research work, questionnaire was prepared for this research, data collecting and information for the usefulness of the research work which (18) questionnaire will be given to the land owner and estate surveyor within the study area.

### **3.7 SAMPLING PROCEDURE**

Sampling procedure adopted for this research is simple random sample been that of the study area is specified and due to population

### **3.8 INSTRUMENT FOR DATA COLLECTION**

There is various method of data collection, the research instrument adopted in the course of this project works include the following

- Direct interview
- Questionnaire



### **3.8.1 Direct Interview:**

Direct interview was conducted at the Ifelodun Local Government area in the department of land for the officers that are in charge of insuring and granting of ownership rights in landed property, the writer conduct most of his interview with the professional in the field of land matters, especially such professional listed below, Estate Surveyors and Valuers, Quantity Surveyors, Land Surveyor, Town Planner as well as the individual owner with in the study area

During this process, a lot of useful information was collected which served as guide throughout this write up.

### **3.8.2 Questionnaire:**

Questionnaire survey was administered on the individual owner of the land within the study area (Ifelodun Local Government Area) and this led to the revelation of some vital information concerning the problems and obstacles encountered during the processing of ownership right on landed property.

## **3.9 DATA ANALYSIS**

The method of data analysis in a research work determine such work. The procedure of data collection is vital concept to any project because it shows how information are gathering and processed for a set up goal

## CHAPTER FOUR

### 4.0 DATA PRESENTATION AND ANALYSIS

#### 4.1 Introduction

This chapter entails the presentation and analysis of data's collected data throughout the research work in a form to make it more meaningful and understandable for easy reference and better comprehension. In the of this research work, questionnaire were distributed to two groups of respondent, the urban and regional board, and owners/occupants of protest at the study area. Two hundred (200) questionnaires were was distributed to the owners/occupants as the case study and one (1) questionnaire was given to the urban and regional planning board.

The datas collected through these questions are presented and analyzed through various statistical techniques and tables. Mode of presentation are shown below.

**Table 4.2 Showing Land Use Classification in Ifelodun Local government, Kwara State.**

Uses	Description
Residential	Medium and low
Commercial	Office, and shopping complex
Public use	Schools, hospitals and police post
Semi-public	Church and Mosque
Circulation	Road, walk ways, bicycle tracks
Recreational	Parks, playground, open spaces etc.

Source Field survey 2025

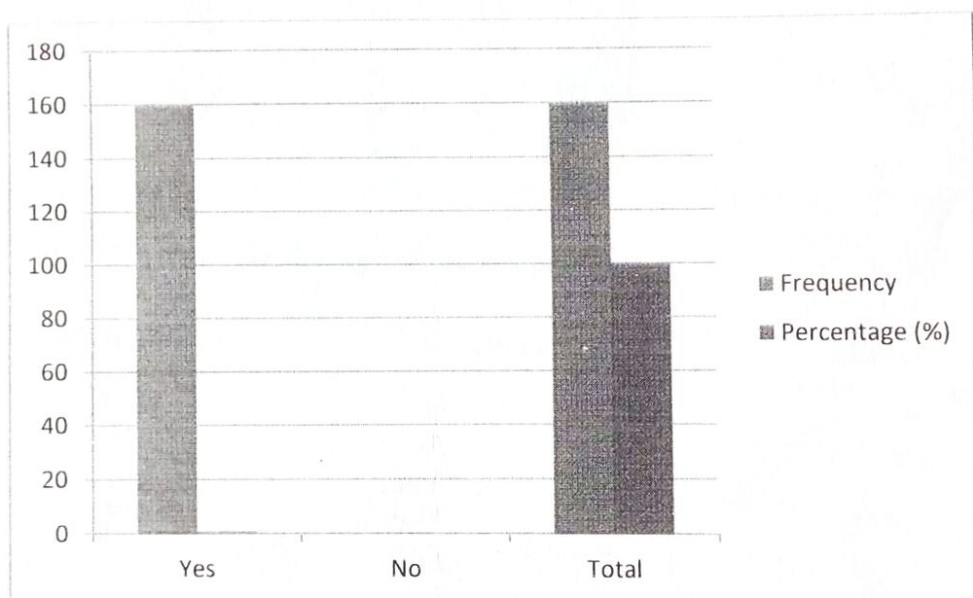
The table above indicates the types of land use and their classification in the study area.

**Table 4.2:1 Total Number of Questionnaire Administered**

Respondent	No. of Questionnaire	Percentage (%)
Owners/Occupant	200	99.5%
Urban and regional planning board	1	0.5%
Total	201	100

Source Field Survey 2025

From the analysis above, the total numbers of questionnaires administered are Two hundred and one (201), Two hundred (200) was administered to the owners/occupant which carries 99.5% and one (1) was given to the Urban and regional planning board with 0.5%.



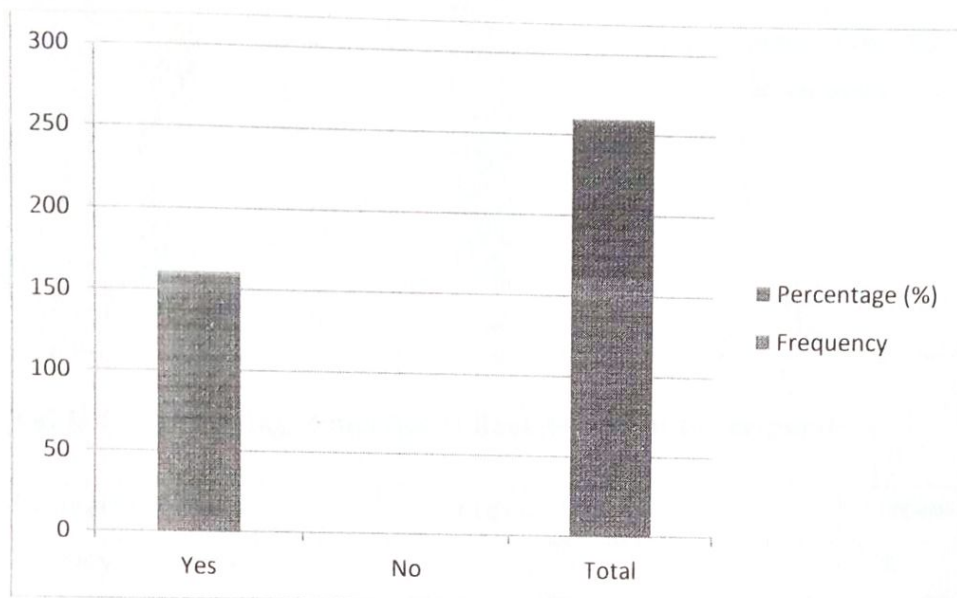
**Table 4.2:2 Total Number of Questionnaires Retrieved**

Respondent	No. of Questionnaire	Percentage (%)
Owners/Occupant	160	99.5%
Urban and regional planning board	1	0.5%
Total	161	100

Source:- Field Survey 2025



From the above analysis, the total number of questionnaires retrieved are one hundred and sixty-one (161). One hundred and sixty were retrieved from the owners/occupant in the study area, which carries 99.5% and one (1) was retrieved from urban and regional planning board which carries 0.5%

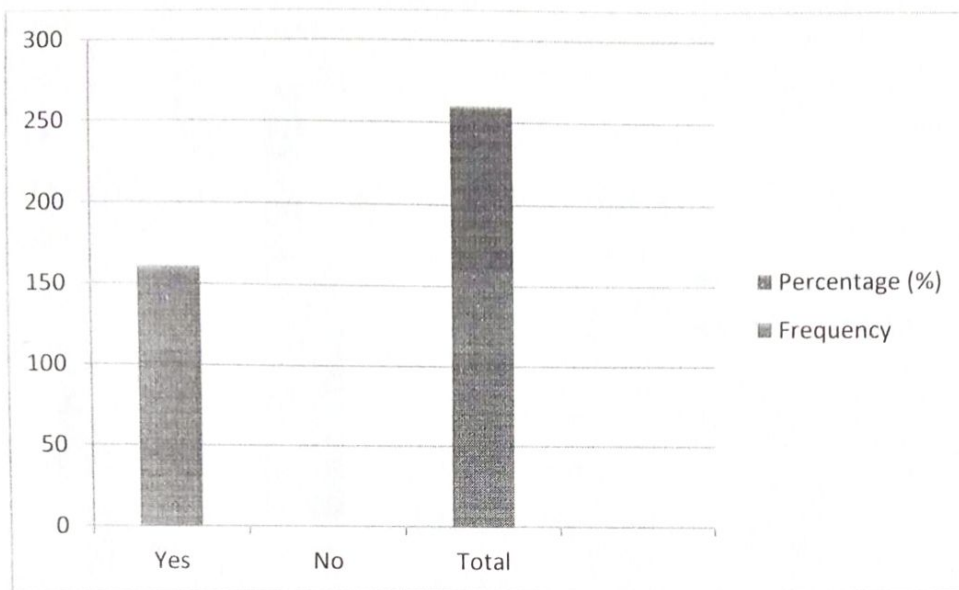


**Table 4.2:3 Showing the Age of the respondent**

Age of Respondent	Frequency	Percentage (%)
20 – 30 years	12	7.5%
Above 50 years	88	37.5%
31 – 40 years	60	55%
Total	160	100

Source> Authors Field Survey 2025

The above table shows the age range of the respondents at the study area, the people between the age of 31 – 40 years of age have the highest percentage which is carries 55% followed by the range of above 50 years which have 37.5%. above 20-30 years has the lowest percentage which is 7.5%.

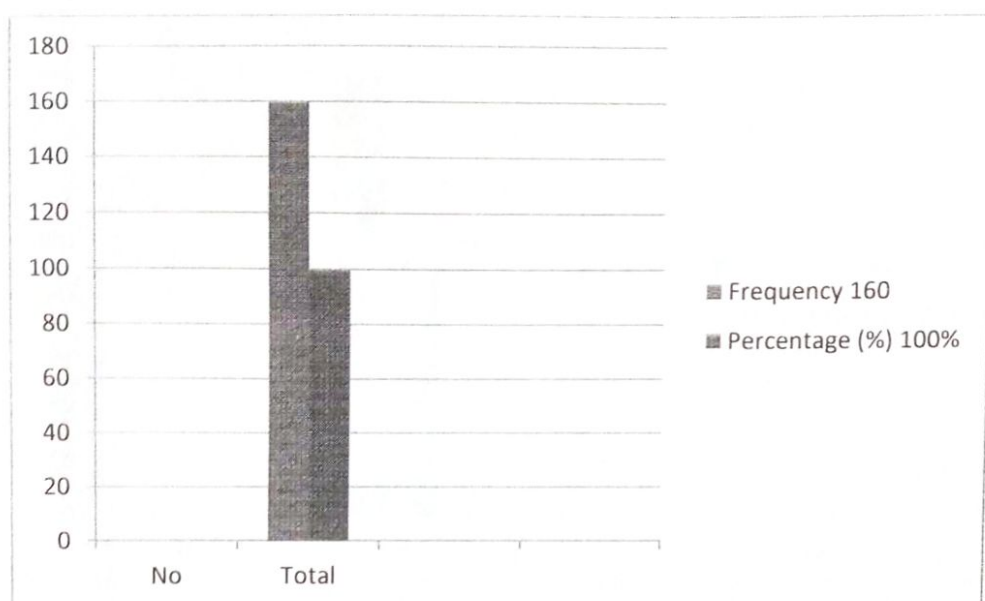


**Table 4.2:4 Showing Educational Background of the respondent**

Education Status	Frequency	Percentage (%)
Primary certificate	8	5%
Secondary certificate	22	14%
Tertiary	130	81%
Total	160	100

Source- Authors Field Survey 2025

The above tables shows the educational status of the respondents. The people with tertiary institution certificate has the highest percentage which carries 81% followed by secondary certificate which carries 14% while primary school certificate has the lowest percentage which carries 5%.



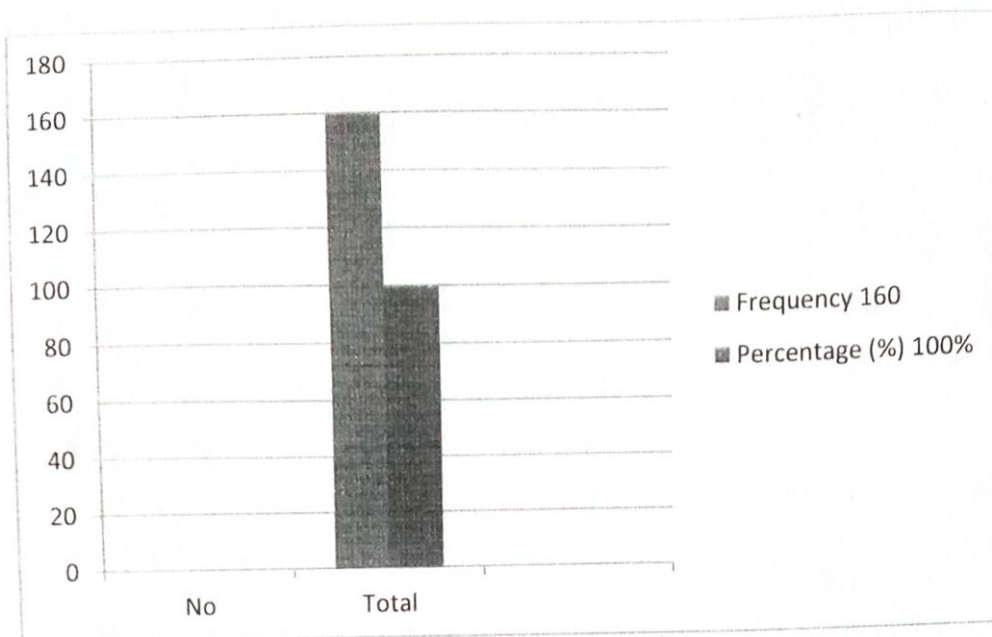
**Table 4.2:5 Showing the Occupation of the respondent**

Occupation	Frequency	Percentage (%)
Civil servant	20	12.5%
Trader (self employed)	140	87.5%
Total	160	100%

Source- Authors Field Survey 2025

From the above, the traders take so has the largest percentage of occupation of the total population of the respondent with a total number of 140 which carries 87.5%, followed by the civil servant with 12.5% of the total respondent. The traders who are self employed represents the owners of those shops. From the observation and interview carried out, the traders are largely responsible for changes in land use and conversion of building for their small scale business, such as sales of clothing materials, electronics, offices i.e. Estate firm financial institution and business canters. The categories of the civil servant are government workers, who also have small business like estate firms, computers, to complement their wages.



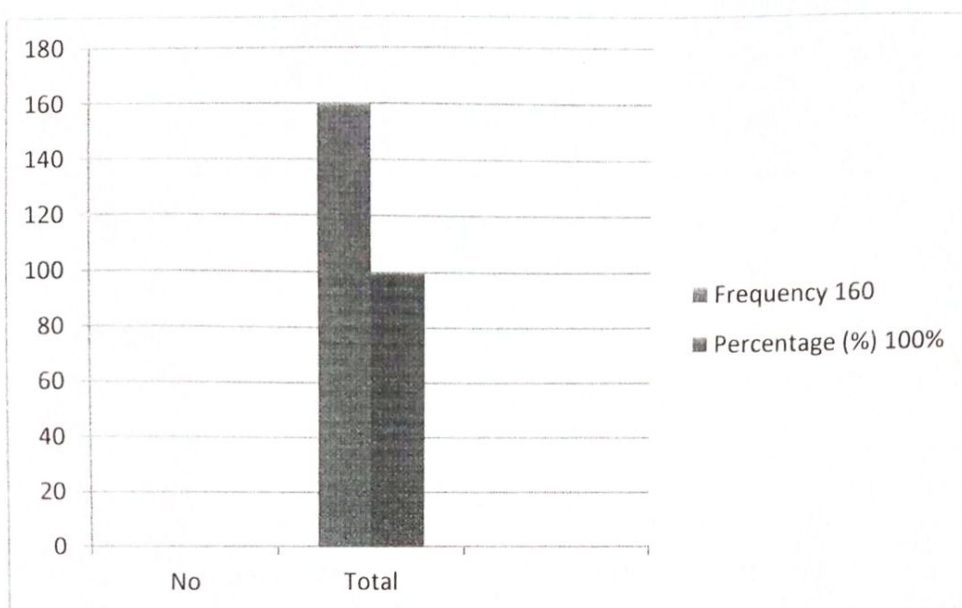


**Table 4.2:6 Showing the respondents awareness about land use zoning**

Land use zoning	Frequency	Percentage (%)
Yes	70	44%
No	90	56%
Total	160	100

Source:- Authors Field Survey 2025

The table shows the population of respondents which has an idea about the awareness of land use zoning. The population of respondents which has the idea of zoning awareness was 44% while those who they are not aware of any zoning within the area is 56%. Therefore, it was observed that people were just changing the use of their property to what suits their present use.

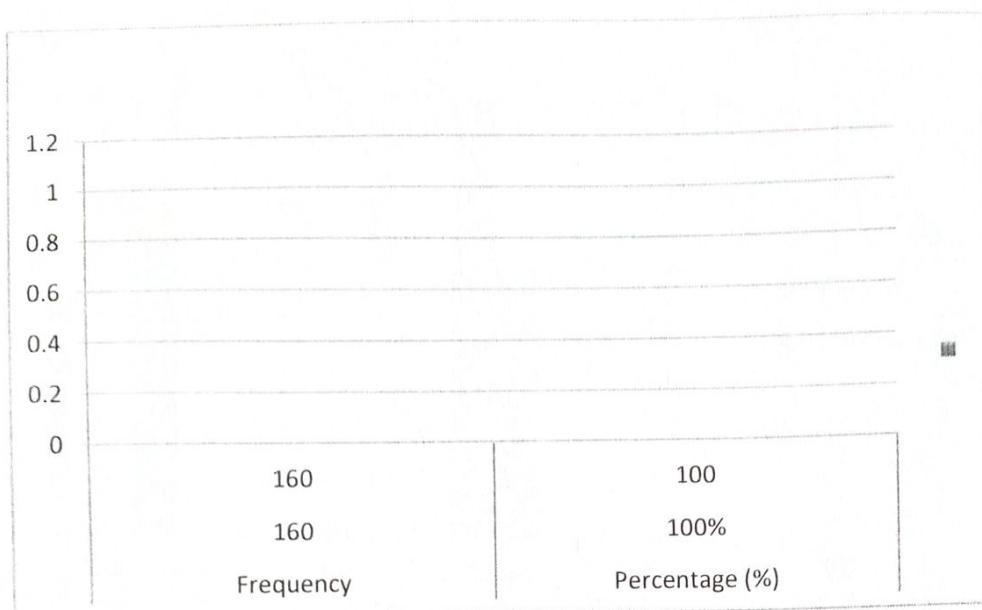


**Table 4.2:7 Showing Different kinds of Conversion**

Types of Conversion	Frequency	Percentage (%)
Residential to commercial	160	100%
Commercial to residential	-	-
Others specify	-	-
Total	160	100

Source:- Field Survey 2025

The above table shows that building were seriously converted from residential building to commercial building i.e. office space, shops and financial institution (banks).



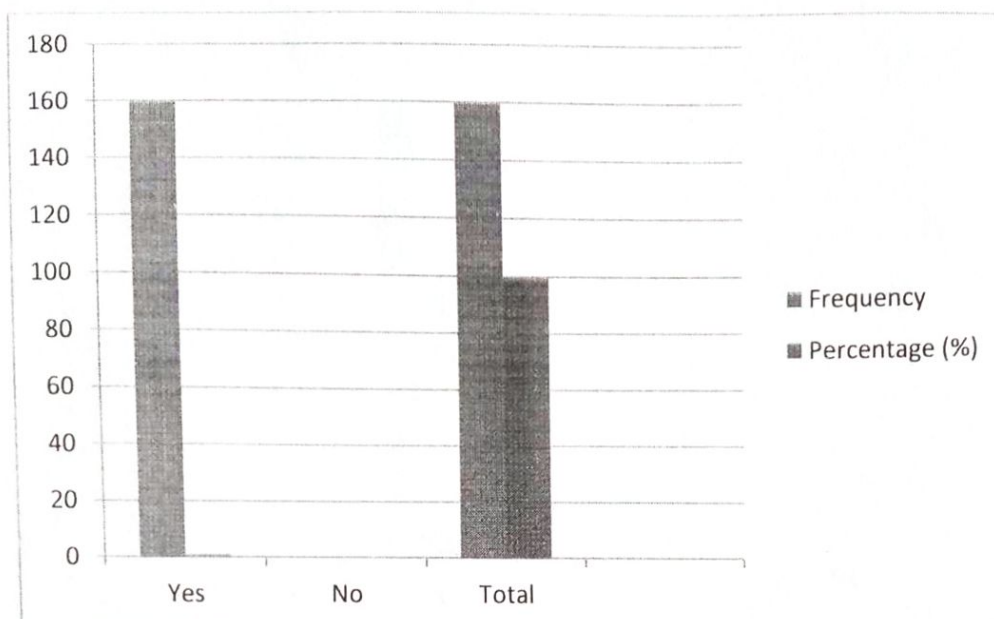
**Table 4.2:8 Showing the time conversion effected on their property.**

Land use change time	Frequency	Percentage (%)
1 – 4 years	20	12.5%
5 – 8 years	90	56.3%
Above 8 years	50	31.2%
Total	160	100

Source:- Field Survey 2025

The above analysis shows the time in which the change in use was effected. The conversion that took place for the past 5-8years has the highest percentage followed by 8years while 1-4years has the lowest percentage which is 12.5%.



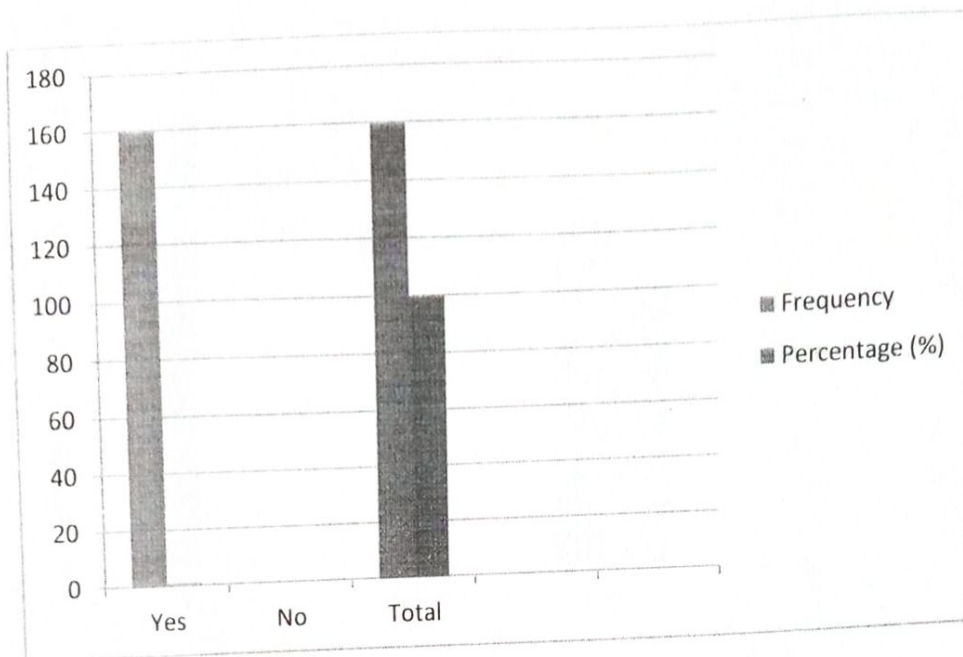


**Table 4.2:9 Showing the reason for Change in use**

Reasons	No of respondent	Percentage (%)
Rental alternative	80	50%
Demand for new use	2	1.5%
Obsolescence	6	3.5%
Other specify	72	45%
Total	160	100.

Source:- Field Survey 2025

The above analysis shows the reason why people are making change in use, rental alternative have the highest percentage, which is 50% followed by other peoples opinion on there major aim of conversion with carry 45%, 3.5% said use is been changed the to obsolescent stage of the properties by obsolescence while people demand for new use has the lowest percentage with 1.5%. The above shows that people are changing use majorly because of the return from the investment.

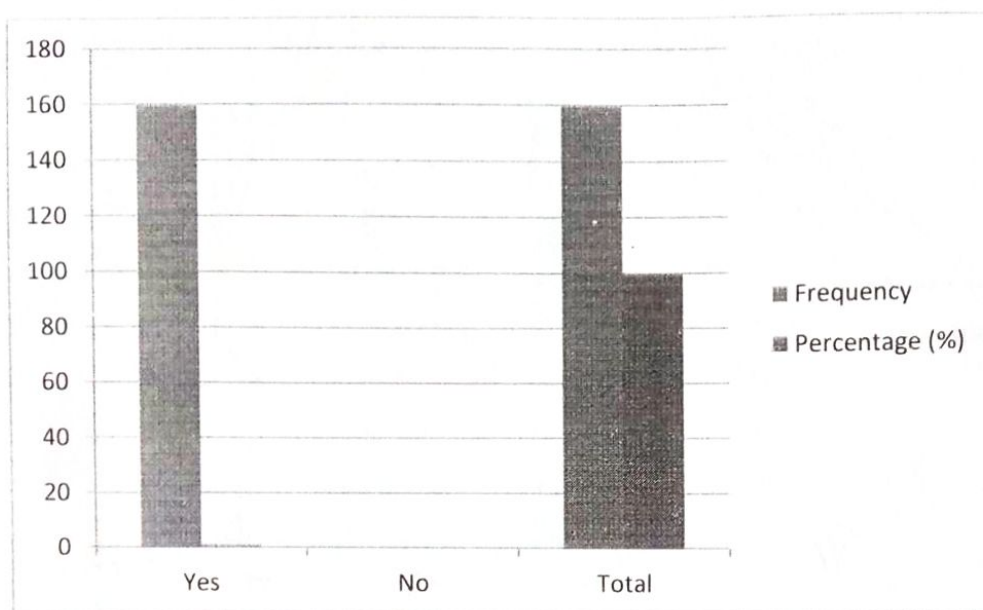


**Table 4.2:10 Showing Effect on Increase in Rental Value**

Effect on value	Frequency	Percentage (%)
Yes	150	94%
No	10	6
Total	160	100

Source:- Field Survey 2025

The above table show that the changes in use as lead to increase in both rental and capital value of majority of the properties at the study area.



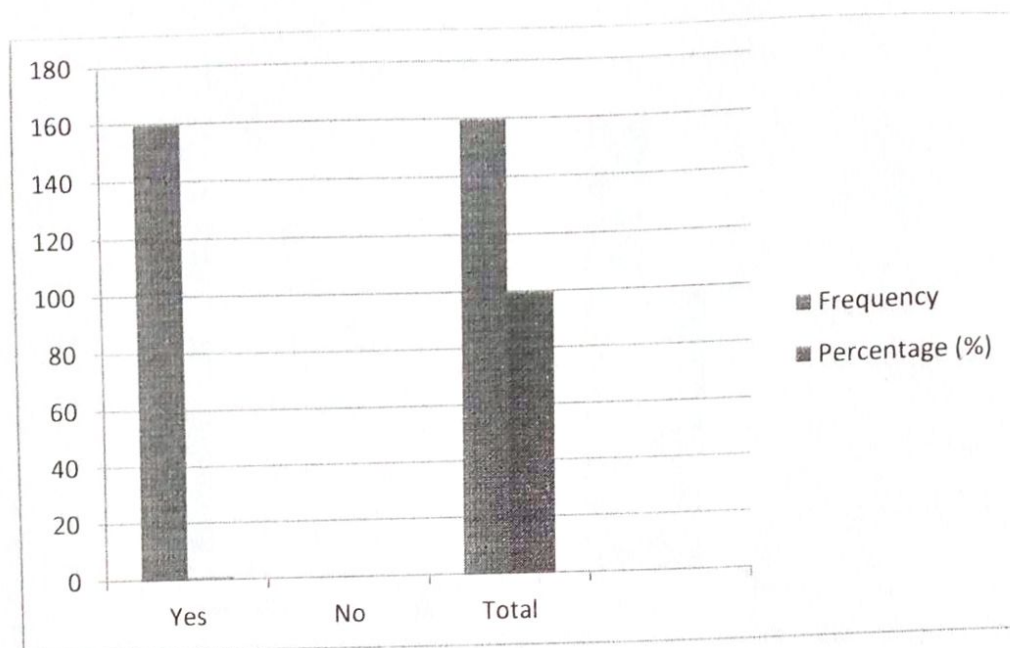
**Table 4.2:11 Showing the change of use approved by the planning authority**

Approved for change in use	Frequency	Percentage (%)
Yes	20	12%
No	90	56%
Others specify	50	32%
Total	160	100

Source:- Field Survey 2025

The table above shows the number of property that has approval from the planning authority before embarking on change in use. This is indicates/indicated that only 12% of the respondent seek for approval. While 56% doesn't have the approval.



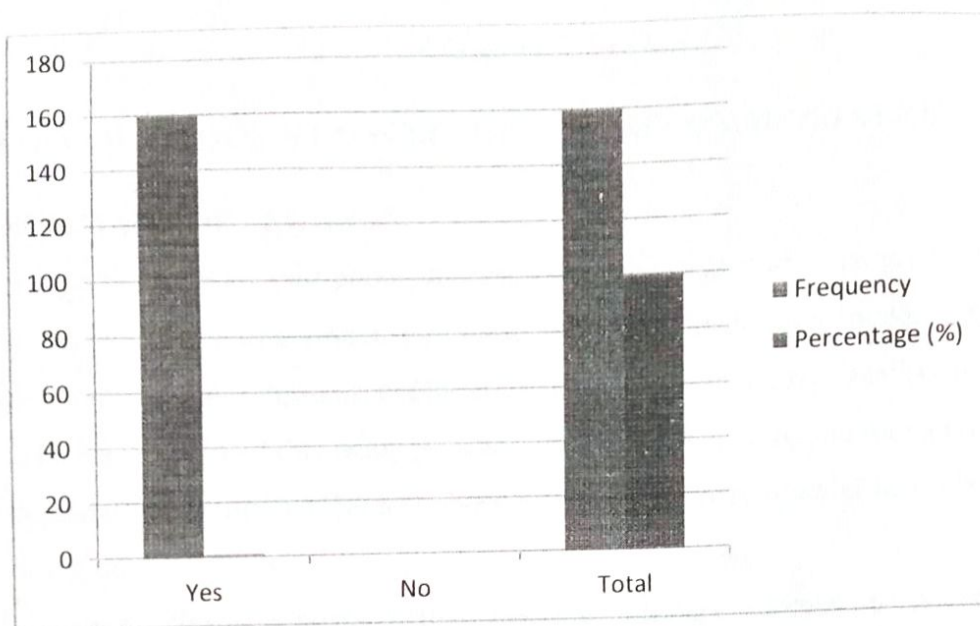


**Table 4.2:12 Showing the level of traffic.**

Increase in Traffic Congestion	Frequency	Percentage (%)
Yes	160	100%
No		
Total	160	100

Source:- Field Survey 2025

The above shows that all the occupants/owners of the property at the study area believes that, the change in use of the property at the study area seriously lead to traffic congestion.



## CHAPTER FIVE

### SUMMARY OF FINDINGS CONCLUSION AND RECOMMENDATION

#### 5.1 SUMMARY OF FINDINGS

So much has been said about the effect that the degradation is having on the value of properties in any given area which it is started. The ever increasing human population in the world has prompted his continuous exploitation of resources to satisfy man's need

- I. The result revealed that many persons have been affected by the impact of environmental degradation. A total 86.7% have been affected by environmental degradation in one way or the other
- II. Sanchez (2002) confirmed this that the primary effects of degradation on the environment are generally stated to be in the form of desertification, deforestation, watershed degradation, soil erosion and soil fertility decline. This are also the product of human activities
- III. Environmental degradation is a seasonal phenomenon that always occur mostly during raining season due to rampant flooding and erosion induced by human activities in minimal effects during dry season.
- IV. The effects are mostly effective in the rainy season, where 71.6% of the respondents are susceptible to the effects of degradation. For instance Beusen (2023), has discovered that the primary source of soil degradation in the tropics is soil erosion; it is loss of production of topsoil as a result of the transportation of topsoil by wind, rain or gravity.
- V. Hence rainy season is usually the season for most activities especially that has to do with tillage. The high rate of activities in the dry season such as deforestation, bush burning, excavation, dumping in flood plains likely have a synergistic effective in the dry season. For example the blocking of flood plains will increase flood in the rainy season
- VI. Furthermore, 3.9% of respondents observed the causes of the high rate of environmental degradation as a result of natural processes on the contrary, 66.1% opined that human activities caused the greatest degradation. In a good example Uchegbu (2022) has said that solid waste has become the number one serious environmental problem facing the country with its consequent effects in the pollution of water, air and land. Man's activity



on the environment can be said to be a reversible reaction where his action affect the environment and the reaction of the environment affect man back

## **5.2 CONCLUSION**

Having critically investigated into the effect of ownership right on landed properties, within Ifelodun local government area in Kwara State. There is a strong need for development the economy also needs to b revitalized so that the real Estate sector is more buoyant. The national development is hinged to a large extent on the types of properties, level of land management, the type of uses to which they are put. The general populace of the Nigeria a society is medium income earners. This is a major reason why the ownership title in the country is not processed for the rich tend to hold/owned large/Estate are owned occupied or private-oriented. The prior or low-income earners on the other land, do not have the ability to owned/hold estate/land.

Finally, the bottlenecks and limitations involved in the processing and procedures of ownership rights in lands and landed properties which been analyzed should be worked by the federal government and other ancillary bodies

This dissertation has examined the relationship between ownership rights and its influence on the nation's development have also ascertained that the real properties investors provide revenue for the government through the taxes on the land and the legal structures

The land use Act of 1978 is seen as an instrument affecting nation's land and development. The public and private sector has been the major participant in the real sector and their impact. Also, the constraints militating against ownership title have also been analyzed. The suggestion and recommendations have been made on improved activities and process of ownership right in landed properties.

## **5.3 RECOMMENDATIONS**

The following are recommendation hope would influence the level of ownership rights in landed properties.

- A. The government should enlighten all its citizens, and Estate surveyors and values should also educate and enlighten the families or communities on the importance and the significance of ownership title of their land and on their behalf. By this better and easy deal would enhance. Also, the purchaser should use professional advisers on all their transaction related to land matters, to curb the risk of losing their hard-earned income
- B. It is obvious that most of the land sold to individual are usually abandoned, due to lack of fund and proper feasibility report which in most cases are encroached upon. To overcome this, the buyers should make sure that they are financially okay to develop such land before paid for such plots, to avoid reselling of the plot to another person by the customary
- C. Government should expunge or refine the land use Act of 1978 from the constitution and make it easy, to amend on renovations and reallocation of land which the act have failed to adjust. In fact, the Act is bundle of confusion, because pay people that owned or purchased land privately pay double amount especially when wanting to cover the land with tile eg, C of O. in essence, the land use Act should be abrogated and let each region practice what was an operation before.

Although the decree provided for the establishment of land committee where cases of land dispute are to be referred to, it is a known fact that most state are yet to established such committee. Government should make it mandatory for all state that is yet to establish such committee to set up a committee to handle dispute relating to lands. The committee consists of Estate Surveyors and values, legal practitioners, director of land and some traditional rulers. This will reduce so many land cases in our courts

## REFERENCES

- Abdulsalam, A. (2008): Public-Private Partnership in Housing Finance at a seminar organised by the Nigerian Institute of Estate Surveyors and Valuers (Ondo State Branch), held on the 13th of November, 2008, at Owena-Nicon Luxury Hotels, Akure.
- Agbola, S. B. (2013) Major problems of housing in Nigeria. A paper presented at a Workshop on Housing Problems in Nigeria. Green Spring Hotel, Ibadan, Nigeria, 13-15 December.
- Adejumo, Akintokumbo (2008). Social Housing in Nigeria – An Imminent Mass Housing Revolution? Retrieved on March 18, 2010 from <http://www.nigerianmuse.com/2008110114261325/articles/social-housing-in-Nigeria-an-imminent-mass-housing-revolution>.
- Atolagbe, A. M. O. (2007) Affordable shelter for the urban low-income classes in Nigeria: Local Resources Strategies. Bayo Amole (Ed.) The House in Nigeria Conference Proceedings, Obafemi Awolowo University (O.A.U.) Ile-Ife, Nigeria, 23-24 July; pp. 274-279.
- Babade, Tope (2007). Affordable Housing Programme as Agenda for the Federal Ministry of Housing in Timothy Olugbenga Nubi, Modupe MoronkeOmirin& Akintade Samuel Afolayan eds. Private Sector Driven Housing Delivery. Issues, Challenges and Prospects: Lagos, Department of Estate Management, University of Lagos. International Journal of Civil Engineering, Construction and Estate Management Vol.3, No.2, pp.36-47, June 2015 \_\_\_\_Published by European Centre for Research Training and Development UK (www.eajournals.org) 46 ISSN 2055-6578(Print), ISSN 2055-6586(online)
- Centre for African Settlement Studies and Development. (CASSAD) (1993) Impact of structural adjustment programme (SAP) on housing investment, environmental quality and urban productivity in Nigeria. Research Report. Ibadan, Nigeria: CASSAD.
- Freedman, L. (2009). Public Housing: The Politics of Poverty. New York, Holt Rinehart & Winston Inc.
- Jiboye, A.D (2009), The challenges of sustainable housing and urban development in Nigeria. Journal of Environmental Research and Policies. 4(3), 23-27.
- Ikepeazu, F. (2004): New Trends in Low-cost Housing delivery systems in Nigeria: An Overview of the public-private partnership approach. *Housing Today*, 1 (8), 30 – 36.
- Mabogunje AL, JE Hardoy, PR Misra (2008): Shelter Provision in Developing Countries. Surrey: The Gresham Press.



- Oduwaye, L. (2004): Problems and Prospects of Primary Mortgage Institutions (PMIs) in Nigeria: Case of selected PMIs in Lagos. *Housing Today*, 1 (8) 14-18
- Oladapo, B. O. (2006): Mortgage Financing In Nigeria: Issues And Challenges, a paper presented at the 9th John Wood Ekpenyong Memorial Lecture, organised by the Nigerian Institute of Estate Surveyors and Valuers, January 29, 2003
- Okupe, L. (2000). The Role of the Private Sector in Housing Delivery in Nigeria. Paper presented at the 2-Day National Seminar of the NIOB, at Premier Hotel, Ibadan on 29-30 March.
- Olatubara, C. O. & Agbola, S. B. (1992). Cost Recovery in Nigeria Public Housing. *Habitat International*, 16(1), 83-94
- Olotuah, A.O. & Ajenifujah A. O. (2009) Architectural Education and Housing Provision in Nigeria” In *CEBE Transactions, Journal of Centre for Education in the Built Environment*, Cardiff University, UK, 6 (1). 86-102. [Online]. Available at: <http://www.cebe.heacademy.ac.uk/transactions/index.php> (May 12, 2011).
- Oluwaluyi, A. (2008). Workable Housing Delivery Strategies in a Developing Economy. A paper presented at Lagos International Housing Conference organized by Lagos State Branch of the Nigerian Institution of Estate Surveyors & Valuers. Lagos.
- Otegbulu, Austin C. (2007). Improving Private Sector Constitution in Housing Delivery through Tero-Value Technology in Timothy Olugbenga Nubi, Modupe MoronkeOmirin & Akintade Samuel Afolayan eds. *Private Sector Driven Housing Delivery*”, Issues, Challenges and Prospects. Lagos, Department of Estate Management, University of Lagos.
- Philips, D. (2007). Why economic policies have failed in Nigeria. Sketch of Presentation at the Vision 2010 Committee Workshop. Abuja, Nigeria.
- UNCHS (Habitat) 2006 - National Trends in Housing-Production Practices Volume 4: Nigeria
- United Nations (1976). *Housing Policy Guidelines for Developing Countries*, Nairobi, STIESA/SA, Department of Economics and Social Affairs, New York.
- Windapo, A. O. (2007). Evaluation of the Roles of Private Developers in the Housing Delivery System in Lagos State in Timothy Olugbenga Nubi, Modupe MoronkeOmirin & Akintade Samuel Afolayan eds. *Private Sector Driven Housing Delivery*. Issues, Challenges and Prospects: Lagos, Department of Estate Management, University of Lagos.