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Developers' Resilience in Land Acquisition Issues: The Case of Igando-Oloja Community, Ibeju-Lekki, Lagos State

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Abstract

Today, many real estate developers in Nigeria are confronted with confusing procedures for guaranteeing that acquisition of excised lands is free from encumbrances and pending disputes among landowning families' (locally referred to as 'omo onile'). Without diligent and exhaustive investigation, purchasing excised land for real estate development may be fraught with complications and uncertainties encompassing the excision process, compensation and issues of original ownership of such land. This study focuses on Igando-Oloja community of Ibeju-Lekki, Lagos State. The core question guiding the study is: How were real estate developers in the community able to address the uncertainty associated with land transactions for development? A case-study scenario was utilised, which involved interviews with Igando-Oloja community leaders and developers who have purchased land in the subject area. Three categories of developers' complicated land acquisition issues were unravelled. One is a category of developers that bought the same land that had been sold to a third party by a group of disgruntled landowning families, causing litigation and delaying development. In the second category, two developers bought excised land from members of a landowning family but not all stakeholders were represented in the payment/compensation process, thus land purchase discussions had to start anew. Finally, some developers were victims of governmental excision of already purchased lands. However, prompt out-ofcourt settlement resulted from the alternative dispute resolution mechanism deployed by the landowning families and the developers. This article thus offers insight into developers' adoption of an out-of-court resolution resilience strategy that expedites the process while protecting those involved and maximising the time value of money for developers and other parties in land transaction disputes.

Keywords: Developers; Land conflicts; Omo onile; Resilience; Strategy

1.0 Introduction

Land acquisition is not a one-off transaction, as it entails certain steps such as identifying available land, investigating the land title, making payment and registering the new land title.

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According to Omirin (2002), as cited in Owoeye and Adedeji (2015), land acquisition is premised on the availability of vacant lands, affordability of such lands, comfort of transaction over such lands and security of the owner's interest in the land. Developers frequently encounter challenges during the transaction process or sometimes after the transaction has been concluded, whether from the customary landowners or government. Given the rigour involved in acquiring excised land, experts in property development have come up with the term "developer's resilience." According to Southwick et al. (2014), resilience is the ability of a substance to spring back to shape quickly after overcoming difficulties. Resilience means different things to different professionals based on the parameters of its utility (Shi et al., 2018). In the development context, resilience refers to the ability of developers to bounce back after overcoming challenges associated with land acquisition and development.

Land acquisition through the communal land tenure system can pose serious problems if proper market investigation and research are not done (Olapade, Ojikutu & Aluko, 2022). This is because communities usually comprise different family households who are stakeholders to different degrees and measures when it comes to communal land. These individual family members might or might not have equal access to portions of such communal land but they must all be involved when acquisition and compensation surface, otherwise a null transaction and land uptake challenge may ensue.

The case study area, i.e., Ibeju-Lekki, used to be entirely customary (rural) land but it has become quite attractive to developers in the state (Obiefuna, Nwilo, Atagbaza & Okolie, 2013; Odunfa, Agboola & Oladokun, 2021). The administrative centre of Ibeju-Lekki Local Government Area is Igando-Oloja, a development that followed the creation of the Lekki Council Development Area (LCDA) in the year 2003 (Salau, 2022). This axis of Lagos State has been witnessing massive development, accompanied by infrastructure growth. Land can be acquired in the axis directly from the government, individual owners or the community head. The land market in Ibeju-Lekki is mainly informal, with the majority of buyers preferring it to the formal market (Agbato et al. 2018).

Landowners in the Igando-Oloja community comprise indigenes and their neighbours who have over time come to identify themselves as members of the community even though they may not have historically come from there (Interview Excerpts, 2021). Some of these neighbours reside in nearby communities but own portions of land in Igando-Oloja. Most of these types of acquisitions came about by marriage – for example, Igando-Oloja women marrying men from nearby communities and vice versa. In such situations land was apportioned to non-indigenes by virtue of marriage. Moreover, given its power over land in the state, the state government has also acquired land in the area for public purposes. Sometimes government can release portions of such land to the initial owners. This practice is known as excision. To be sure, issues of ownership complexity and acquisition of public land by the government through eminent domain tend to result in diverse conflicts and litigations on ownership claims.

The study addressed the following issues with regard to developers' resilience in matters of land acquisition: (i) assessing land classifications (ii) excised land acquisition procedures, compensation issues, emanating dispute and how they affect developers and (iii) developers' resilience strategies in land conflict management. Addressing these issues is necessary in the bid to identify and document strategies applicable to developers' resilience in land acquisition and conflict management.

2.0 Literature Review

2.1 The Land Use Act's Vested Rights and Limitations

Land availability, acquisition, sale and development are key factors in terms of national growth

in developing countries (Oluwatayo et al., 2019; Agboola et al. 2017). This is because of the unique characteristics of land, viz: fixity in supply, appreciation of value, immobility and indestructibility. The management, allocation and sale of land in Lagos State are done mainly through the government and landowning families, popularly referred to as "omo onile" (Adedire & Adegbile, 2018). The Land Use Act of 1978 vests land rights in the State Governor, who holds land in trust for the citizens. This means that the governor of a state has the right, power and authority to allocate and determine land rights to citizens as he deems fit. This was done to make land readily available for both the government and investors who wish to acquire land for development purposes.

However, studies (e.g., Idhoko, 2016; Nubi, 2010) have shown that the purpose of enacting the Land Use Act has been defeated, as most governments make use of state lands for the benefit of government officials. Idhoko (2016) argues that it is improper to commit the responsibility of administering all state land to one citizen. He therefore suggests that the House of Assembly should enact legislation disallowing the governor to determine the overall land transactions in a State. Udoekanem, David and Onwumere (2014) also argue for a less bureaucratic and more transparent system of title transfer.

The Land Use Act divides land in a state into urban and non-urban lands. What constitutes both classifications are as determined by the State Governor. As such, no one can physically predict or assume what makes land urban or not. Lands classified as 'urban lands' are under the acquisition of a state government unless they are pronounced 'free' through an official document called a gazette (*Neighbourhood Review*, 2022).

2.2 Land for Development in Lagos State

Although substantial amounts of government acquisitions remain in Lagos State, especially in the Ibeju-Lekki axis, much of it is yet to be developed or assigned to users (Dan, 2018). As official records suggest, government last granted excision to land in the Ibeju-Lekki/Epe axis in the year 2012 (Dan, 2020). However, there is no doubt that economic growth will be enhanced in the area if government releases more land to real estate investors. Without the development of land, the housing deficit in Nigeria, which as of 2019 was put at 20 million units, cannot be tackled (Moore, 2019; Dan, 2018).

Acquired lands in a state are usually classified in two ways: committed acquisition and general acquisition (*Lagos Handbook*, 2014).

- (i) Committed lands are those which have been expressly designated by the government of a state as being meant for developmental use for the benefit of all citizens. These types of lands cannot be excised or re-acquired by anyone, as acquisition or sale of such land by a private entity or community is at such person/persons' peril.
- (ii) General/global acquisition can be acquired once they have been declared 'free' by the government. These types of lands are also under acquisition but not committed. Lands under this classification can be acquired through an 'excision' or 'regularization' process.

2.2 Excision and Gazette in Lagos State

The issue of excision in Lagos State began to gain recognition in 1994 during the regime of Brigadier Olagunsoye Oyinlola, who granted excision to some families, including the Olotos, Aworis, Isheris, and some land-owning families in Badagry. These families had appealed to the government for the excision of portions of their land for family succession heritage, as most towns and streets were already being named after affluent foreigners (Ogundana, 2004).

Land excision is a process whereby the government releases portions of already acquired land back to indigenes in communities or villages to compensate them for the larger acquisition done in overriding public interest.

The government must officially declare such release in the state's official gazette and in a widely read newspaper. A gazette is an official document owned by the government that reveals important information necessary for public awareness (*Lagos Handbook*, 2014). In Britain, for instance, the gazette can be likened to a newspaper which is mostly used to list the names of people under the government's employment (Longman, 2022). Information published in an official gazette is not limited to land transactions only but may include important information such as the enactment of new statutes as well as executive, legislative or judicial employments or misemployments, etc.

In the case of land transactions, a gazette will show the portions of land excised to communities or villages and the land sizes in plots, acres or hectares. Portions of land published in an official gazette can be sold to the public by the community to whom it was excised since such land now belongs to them. Nevertheless, this does not guarantee absolute ownership of land because the government, which has all authority on urban land, may decide to re-acquire such gazetted land if it is in public interest to do so. Under such circumstances, there must be compensation for the community from which acquisition was made (*Neighbourhood Review*, 2022).

2.4 Methods of Processing Excision

Excision can be voluntarily issued by a state government, but communities must apply for it once they are aware that portions of land in their community have been classified under "general acquisition". Excision, just like the process of getting land title registration in Nigeria, can be quite expensive and time-consuming (Thontteh & Omirin, 2021). Most times the high cost and delay result from the need for government to analyse the benefits and demerits of releasing such land to the community.

The following are steps to take when seeking excision from the government:

- Family representatives (this usually includes the local head in a community [Baale] and the secretary) apply for excision at the state land use allocation committee.
- Necessary documentation such as the land survey is submitted to the surveyor general of the state for review.
- Inspection by government officials (technical committee) is conducted to ensure that the application and requests of community members are accurate.
- The government officials then submit a report to the state land use allocation committee based on their research on the land.
- The state land use allocation committee meets to decide whether to approve or reject the report submitted by the technical committee. After a decision is reached, they then submit a report to the state governor based on their conclusion.
- If the excision request is approved and accepted by the state governor, the document will be forwarded to the surveyor general for him to prepare a survey on the excised land.
- Community members are then required to map out and submit a layout design to the state ministry of physical planning and development authority.
- The community makes unconditional settlement to the initial claims of the land and then proceeds for indemnity agreement on the excision.
- The excision is further published in the state's official gazette and any other widely read newspaper.
- Payment for issuance of a certificate of occupancy is expected and done within 30 days after publication in the newspaper.

• The State's land bureau office receives final documents, excision reports and administrative files, and then forwards same to the Registrar of Lands for entry into the official archives' excisions, surveys, maps, names and gazettes in the Excised Lands Agency.

2.5 Compensation Quagmire

Research shows that compensation in Nigeria is usually underpaid, especially when coming from the government (Adedire & Iweka, 2019). According to Olapade et al. (2022), most land acquisitions result in legal disputes owing to insufficient compensation payment and other factors (Nuhu & Aliyu, 2009). There have been frequent reports of compensated families requesting more money (*Daily Trust*, 2019).

According to Section 29(4) of the Land Use Act, compensation for compulsory acquisition by the government for overriding public interest is divided into three parts, viz:

- (a) the land, for an amount equal to the rent, if any, paid by the occupier during the year in which the right of occupancy was revoked;
- (b) building, installation, or improvements thereon, for the amount of the replacement cost of the building, installation, or improvement, that is to say, such cost as may be assessed based on the prescribed method of assessment as determined by the appropriate officer less any depreciation, together with interest at the bank rate for delayed payment of compensation and in respect of any improvement of like reclamation works, being such cost thereof as may be substantiated by documentary evidence and proof to the satisfaction of the appropriate officer;
- (c) crops on land apart from any building, installation, or improvement thereon, for an amount equal to the value prescribed and determined by the appropriate officer.

It is commendable that Nigerian law recognises the need for compensation when land has been acquired in overriding public interest. However, the debate on this law over time has been the inefficiency in its implementation (Otubu, 2012). The conditions for compensation favour the government more than the landowners or developers (Akujuru & Deeyah, 2016). For instance, in the year 2021, the Lagos State Government paid a total of 16 family members in Epe the sum of 38 million naira for crop compensation (TVC, 2021). This implies that each family was entitled to the sum of 2 million naira only, a sum that might not even cover the cost of the land. Against the backdrop, compensation issues affect developers as narrated in the Act.

Land conflicts on all types of property	
Boundary conflicts	Between individuals (over private land) Between clans (over common property) due to oral tradition and physically unfixed boundaries Between administrative units (villages, communes, municipalities, districts) Between private individuals and the state (over private or state land)
Ownership conflicts linked to inheritance	Inheritance conflicts within a family Inheritance conflicts within a clan
Ownership conflicts due to legal pluralism	Overlapping/contradictory rights due to legal pluralism (customary/indigenous rights vs. statutory law)
Ownership conflicts due to lack of land registration	 Several people claim the same property because a) no land registration exists, b) it is in bad conditions or c) it has been destroyed Distribution of intermediate tenure instruments which cannot be registered Due to unequal knowledge and financial means only the well-off register land – even that of others

Source: Wehrmann (2008)

Conflict is inevitable in everyday transactions but concerted efforts must be made to avoid it in land development transactions, especially given the huge capital outlay involved (Oghifo, 2021). In Nigeria, most land conflict issues, despite complaints about the weak judicial system, are resolved through time-consuming and expensive litigation (Esiri, 2021). At times, to speed up the process, the courts advise parties to consider out-of-court settlements or other alternative dispute resolution mechanisms. This approach has aided the efficiency of the court system and developers are increasingly subscribing to it. As Wehrmann (2008) noted, land conflict can adversely affect the physical, economic and social development of land. Most international, interstate and intrastate conflicts originated from land matters. Luckily, these conflicts may be resolved via the courts or other dispute resolution methods (Wehrmann, 2008).

3.0 Methodology

The research adopted a case-study approach with the use of interviews to elicit information from the Igando-Oloja community leaders and developers who have acquired land in the study location. A desktop study was initially conducted to collect information from published documents, books, articles, journals, conference papers, reports on the subject matter, and web searches. Thereafter, the researchers discussed key points from several schools of thought and identified best practices. The entire process supports the study in analysing the existing situation, discussing findings and drawing a conclusion.

The second stage involved visitation to the site by the authors and two research assistants to identify the developers through their mounted advertisement signage. Telephone calls were made to introduce the study and book interview dates. One of the interviews was conducted in the developer's office (following all COVID-19 protocols), while others were conducted through WhatsApp calls and Zoom meetings in the third quarter of year 2021. The interviews held in developer's office complied with COVID 19 distancing guidelines. We were also permitted to attend some of the land dispute settlement and renegotiation for compensation proceedings involving land developers, community members and their solicitors. The interview process and tracking of respondents lasted for four months. Out of the ten (10) developers identified, only seven consented to talk about their experiences, with others declining for privacy reasons.

The recorded interview was transcribed and checked for credibility, authenticity and reliability of the responses through data triangulation, this involves gathering information from interviews, observations and documents to enhance a meaningful conclusion (Moon,2019; Santos et.al, 2020). A qualitative approach was adopted for this study with a view to delivering quality sample cases and narratives to achieve the research objectives (Olapade, Ojikutu & Aluko, 2022).

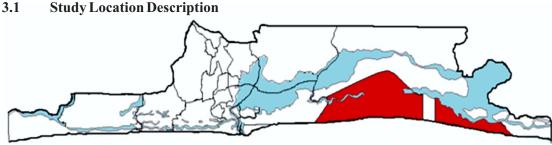


Figure 1: Map of Lagos highlighting the Ibeju-Lekki axis

Source: https://commons.wikimedia.org/w/index.

The research study area is in the Ibeju-Lekki axis of Lagos State. Igando-Oloja is one of the 81 communities under Ibeju-Lekki (Oladokun et al.,2011) and it comprises six indigenous families, namely Agbaraojo, Apena, Akinnigan, Akomolafe, Noibi, Talemu and Ibilola. The progenitors of

the Igando-Oloja community used to settle by the seaside and every family had land apportioned to them. As time went by, the families began to further inland to the present location (Igando-Oloja), as their farms were situated there. Their movement became necessary because it became too stressful for people to journey from their place of abode (seaside) to the farm (present Igando-Oloja). Gradually, several other people outside the families began to migrate to Igando-Oloja.

Empirical Findings and Discussions

4.0 Developers' Practical Experiences and Reflections at Igando-Oloja Community

As the developers did not grant consent for publishing their names, we categorized the seven developers into three according to the similarity of their experience using letters of the alphabet (A, B, C). Their experiences illustrate developers' resilience in the course of land acquisition.

4.1 Developer A

Conversations regarding interest in the purchase of some portions of Igando-Oloja land by Developer A commenced in 1997. The community informed the developers about the government's intention to compulsorily acquire portions of vacant land in the community but assured them that the portion of land sold to them was about to be excised, as evidenced by letters sent by the land agency to the community. This further buttressed the fact that the portion of land to be sold to Developer A was not classified under "the committed land" of the state. With this assurance (the developers were shown correspondences between government and the community), the developers commenced acquisition conversations pending publication of the excision in the state's official gazette and a widely read newspaper. Series of meetings were held with community members as to parties to be compensated, what amount of compensation would be paid to each family, the mode of payment and the documents to be exchanged. These meetings were held at the Baale's palace with principal members of each family. The 35-hectare excision was eventually published by Lagos State in the year 2004, with the agreed sum running into hundreds of millions of naira being paid to the community representatives.

Development on land cannot commence without a title document known as a Certificate of Occupancy (C of O). Developer A had commenced processing of the title in 2005 but the title document was not received until after seven (7) years. According to Thontteh et al (2020), land regularisation is one of the major challenges faced by developers in land acquisition and transaction processes, mostly owing to institutional factors. Meanwhile, as a check against delayed release of the title document, developers often opt to fence off the expanse of land from encroachers and intruders. The next stage was the application for a planning permit. During this process, land ownership conflict ensued.

4.1.1 Issues, Compensation and Conflict Management Process

Developers began facing issues right from when the land was being fenced. They were challenged by several people who claimed to be stakeholders in the land matter. While trying to resolve the matters, the developers discovered that the land in question originally belonged to two families, Apena and Abudo, before it was excised to the Igando-Oloja community. In fact, only the Apena family was from the Igando-Oloja community; it was only over time that the Abudo family became slightly related to the community through children's marriages. It is worth noting that the initial land purchase by Developer A was spearheaded by the Baale of the community, who died shortly after the transaction was concluded. Evidently, the newly installed community head knew nothing about the transaction. As expected, the death of the former community head brought about complexities in the already concluded land transactions. This led to disputes premised on multiple sale transactions by ome onlie and incomplete representation of those deserving compensation.

The aggrieved parties claimed that they had commissioned a surveyor to obtain excision because of the acquisition of their lands by the Lagos State Government but that the surveyor died suddenly. However, the solicitor who was working with the late surveyor began dealing with a section of the Apena family without the consent of other family members. Meanwhile, the late Baale was from the Apena family. The solicitor and developers had assumed that the excision was to be for the Apena and Abudo families, who rightly owned the land. However, they were informed by the Lagos State Lands Bureau that the excision would be made in the community's name. This was a tough and complex challenge for the developers, who had to resort to litigation.

Expectedly, the litigation process hampered the progress of Developer A's plans, as aggrieved parties filed an application for "interlocutory injunction", which forbade anyone from entering the disputed land or carrying out any development on it until the court gave its verdict. However, to fast-track resolution of some of the legal matters, the developer had to engage parties in an out-of-court settlement and compensate them as agreed. The developers reasoned that resorting to alternate dispute resolution (ADR) would help to save time and money for the good of all the parties. Consequently, parties agreed to enter into negotiation. In some of the court proceedings, adjudicators equally supported the idea of including all qualified families in the land compensation deal in order to avoid possible voiding of disputed land transactions (Interview Excerpts, 2022).

4.1.2 Resilience Strategies for Safeguarding Investments

In trying to avoid risk for his investment, Developer A opted to transact peacefully and amicably with the omo onile. As part of his strategy, he would present gifts to community members during festive seasons and offer employment to unskilled youths in the community.

Thus, for Developer A, resilience in the land transaction was all about responding to changes as they came and continuing with development or adjusting same as issues arose. To safeguard his investment, Developer A paid almost the same amount made to the first party to the new set of aggrieved family members and also excised five hectares of land to the community. This was adopted as the court judgement and the matter was resolved. The entire land dispute lasted for over four years.

4.2 Developer B1

Developers B1 falls under the category of those who were not compensated for the purchase of land from the community after excision. In this case, Developers B1 own a portion of land in a neighbouring community for agricultural purposes in 1972, but the government excised the land in 1990 and demolished all structures on it. The Agric Land Holding Authority re-allocated Five (5) hectares to them inside Igando-oloja community as a means of compensation for the lost land. In 1998, developer B1 requested for additional five (5) hectares and was approved by Agric Land Holding Authority because they were the authority or agency in charge of allocating agricultural land to people at the time. However, after many years, the government also excised portions of land belonging to Igando oloja community. Developers B1 were not aware of these developments until 2006, by which time the Agric Land Holding Authority no longer existed. The community were also not able to help because they were just in the same position as Developers B1. Moreover, the community did not sell the land to Developers B1. Hence, Developers B1 lost the land without any form of compensation.

Those in the Developer B2 category were those who had bought vast expanses of land directly from the government but were unaware that the said land had been acquired from landowning families in the Igando- Oloja Community prior to their purchasing the land. Although they sued the encroachers, the developers lost in court after seven years of litigation. They realised that part of their land was classified as general acquisition and the remainder was classified as committed acquisition.

Since Developer B2 had acquired the land directly from the government, they should have been the first to benefit from compensation by the government since they had crops and structures on the land. For some reason, however, they were denied compensation. Developer B counted their losses and began the process of repurchasing the same land from the new owners, to whom the land had been excised by the current government. However, the new owners declined to re-sell the land to the Category B developers.

4.3 Developer C

Those in the Developer C category were those to whom the omo onile had sold already purchased land. According to them, selected persons in the community who claimed ownership of the land had sold about five acres of land to them in 2017. While processing the title document in 2018, they had discovered that the land had been registered by another party. Consequently, they engaged a lawyer and took the matter to court, where it was found that the land had actually been sold to them by the real owners. The sellers claimed that the previous sale had been done by some dubious members of the family. Two years into the case, the developers opted for an out-of-court settlement that took just one year to conclude. The developers then proceeded to register the land after the encroachers had transferred the necessary title to them.

Those in the Developer C category were fortunate to have had the backing of community members. Although they did not have to re-acquire the land, they paid for every court appearance and contingency expenses incurred by the family members. They were also violent in dealing with the landowning families (omo onile) who sold the land to them. They equally arrested principal members of the family who sold the land to them and took them to the Abuja Police Division for questioning. A series of meetings took place in Abuja before they pleaded that the matter be transferred to Lagos for ease of settlement. Developer C believed that the tactical and drastic approach adopted was what helped to secure their investments from landowning families and their dubiousness.

5.0 Conclusion

This study on the Igando-Oloja community focused on different categories of developers. Some purchased land from landowning families (omo onile) but later realised that the same land had been sold to a third party previously, hence the emergence of land disputes resulting in litigation and pause in development plans due to interlocutory injunctions. Other developers had purchased excised land from landowning families under circumstances where not all parties were represented in the payment/compensation process, leading to cases of fresh negotiations on land purchase. Yet others had purchased land in the community before the government declared such land as being under acquisition, thereby halting all developmental plans and leading to revenue loss. One important thing for most of the developers was actualising their developmental plans, hence their resort to strategic means of resolving the issues, especially through litigation and alternative dispute resolution mechanisms. Thus, this study has assessed developers' dispute resolution approaches that allowed them to access disputed land while staying in business amidst land acquisition and registration challenges.

Land acquisition should be accompanied by immediate development. Most times, however, avoidable delay in the processing of certified titles frequently hinders immediate development, forcing developers to resort to fencing off their land (Thontteh, Omirin & Nubi, 2020). Although section 28 of the Land Use Act gives the State Governor the right to revoke any land with or without a title document for overriding public interest, research has shown that government sometimes acquires land as a way of generating revenue rather than in overriding public interest (Lawanson & Agunbiade, 2017). This usually poses serious concern for landowning communities and results in conflict. The study also identified the two types of land ownership: the statutory and customary land tenure systems. The need to strengthen the customary land

institutional system is expedient to remove the bitter controversies and conflicts that often emanate from land transactions. Most often, these conflicts are between the customary landowning families and individuals, developers or the government. As observed in the case of the Igando-Oloja community, the government, after acquiring land without due compensation, often leaves developers with two hard choices: restarting the whole acquisition process afresh with the landowning families or completely backing out and losing their investments.

Based on these observations, the following recommendations are made:

The study brings forward the necessity to amend the law so that it can account for land already purchased by developers. Moreover, the question of justification needs to be addressed, that is, whether it is right for the government to acquire land belonging to one party and excise to another is a question that should be investigated by legal experts and others. It is true that Section 47 of the Land Use Act states that no court or judicial authority has the right to question the governor of a state as to how to compulsorily acquire land, excise same and compensate parties. However, Udoekanem et al. (2014) fault this law as oppressive while calling for its amendment in the interest of peace and justice.

Developers should be encouraged to secure their investment through intergenerational compensation (Olapade, Ojikutu, & Aluko, 2022). This can be done through annual remittances to landowning families, presentation of gifts to the community, provision of employment to the unemployed in the community, and supporting small-scale infrastructure projects (e.g., provision of borehole water) as well as undertaking of corporate social responsibility (CSR) projects.

It is also recommended that community land titles be revoked once the government receives reports of multiple sale of the same land by landowning families (omo onile). This will help to safeguard developers' investment in land and curb the rate of omo onile's dubiousness in land transactions. Impliedly, family members would be more sincere with investors/developers over land transactions. Moreover, the rate at which some family members are neglected during compensation would be minimised, since those engaged in illegal land sale would not want to forfeit their share from land transactions.

Conclusively, this will therefore increase the disposition and resilience of developers towards real estate developments, and the benefits of this include safe and dependable investments, improves productivity, building mutual trust between developers and communities while ensuring good return on investment.

References

- Adedire, F. M. & Adegbile, M. B. (2018). Assessment of housing quality in Ibeju-Lekki Peri-urban settlement, Lagos State, Nigeria. *Acta Structila* 2018: *25(1)*, 126-151
- Adedire, F. M. & Iweka, A. (2019). Assessment of Housing Characteristics in Ibeju-Lekki, Lagos Peri-Urban Settlements. *International Journal of Architecture and Urban Development*, *9*(1), Winter 2019. Agbato, S.E., Adetokunboh,
- Agboola, A., Scofield, D., Amidu, A. (2017). Understanding property market operations from a dual institutional perspective: The case of Lagos, Nigeria. Land Use Policy. 68. 89-96. 10.1016/j.landusepol.2017.07.047.
- Akujuru V. A. & Deeyah D. L. (2016): Assessing the effectiveness of the Nigerian compulsory acquisition practice in road infrastructure provision in Rivers State. *Asian Journal of Social Sciences & Humanities*, 5(4), 77-88.
- Chitengi, H. S. (2018). Regulations and Housing Informality in African Cities: Appropriating Regulatory Frameworks to Factors That Influence Resilience. *Housing and Society*, *45*(1), 14-41.
- Daily Trust (2019). Lagos-Ibadan rail: huge compensation demands worry FG. Retrieved on July 28, 2022, from: https://dailytrust.com/amp/lagos-ibadan-rail-huge-compensation-demands-worry-fg.

- Dan A. (2018). Too Many Governments Acquired and Committed Lands in Lagos. Land Surveyors and Geospatial Consultants. *OTIC Surveys*. Retrieved on July 25, 2022 from: https://oticsurveys.com/author/root/
- Dan A. (2020). Requirements for Regularization of Title on Federal Government Grant in Lagos State. Land Surveyors and Geospatial Consultants. OTIS Surveys. Retrieved on July 22, 2022, from: https://oticsurveys.com/author/root/
- Esiri, M. (2021). Land Dispute Resolution Strategies among the Anioma/Asaba People of Delta State-Nigeria. 68-Article Text-117-1-10-20210823.
- Idhoko, K. E. (2016). The Process of Land Acquisition in Nigeria: A Case Study of Oyo State. *International Journal of Innovative Research and Studies*. ISSN-2319-9725, 37-48
- Lagos State Land Bureau Handbook. (2014). The Lands Bureau, Governor's Office Publication.
- Lawanson T. & Agunbiade M. (2017) Land governance and megacity projects in Lagos, Nigeria: the case of Lekki Free Trade Zone, *Area Development and Policy*, 3:1, 114-131, doi: 10.1080/23792949.2017.1399804.
- Longman (2022). Dictionary Retrieved from: https://www.ldoceonline.com/dictionary/gazette
- Moon, M. D. (2019). Triangulation: A method to increase validity, reliability, and legitimation in clinical research. *Journal of emergency nursing*, 45(1), 103-105.
- Moore, E.A. (2019). Addressing Housing Deficit in Nigeria: Issues, Challenges and Prospects. *CBN Economic and Financial Review*. 57(4), 210-222.
- Neighbourhood Review (2022). A Comprehensive Review of Ibeju-Lekki and Guide to Buying Lands in the Area. Retrieved on July 25, 2022, from: https://www.neighbourhoodreview.com/a-comprehensive-review-of-ibeju-lekki-and-guide-to-buying-lands-in-the-area/.
- Njenga, I. (2017). Effect of real estate investment trusts characteristics on uptake by real estate developers in Nairobi, Kenya (Doctoral dissertation, Kca University).
- Nubi, T. G. (2010). Towards a Sustainable Housing Finance in Nigeria: The Challenges of developing adequate Housing Stock and a Road Map. *Housing Finance International*, 24(4), 22
- Nuhu, M. B., and Aliyu, A. U. (2009). Compulsory Acquisition of Communal Land and Compensation Issues: The Case of Minna Metropolis. Paper presented at the FIG Working Week 2009 held at Eilat, Israel, 3-8 May 2009.
- Obiefuna, J., Nwilo, P., Atagbaza, A. & Okolie, C. (2013). Spatial Changes in the wetlands of Lagos/Lekki lagoons of Lagos, Nigeria. *Journal of Sustainable Development*, 6(7), pp. 123-133.
- Odunfa, V. O., Agboola, A. O., & Oladokun, T. T. (2021). Characteristics of Land Market in Nigeria: Case of Ibeju Lekki Local Government, Lagos, Nigeria. *Current Urban Studies*. 09. 1-16.
- Oghifo, B. (2021). Conflict between Estate Developers, Homeowners Avoidable. ThisDay Newspaper Limited. Retrieved in August 2022 from https://www.thisdaylive.com/index.php/2021/02/16/conflict-between-estate-developers-homeowners-avoidable/
- Ogundana, O. R. (2004). Land Excision Policy in Nigeria as a sustainable tool for physical developments in developing countries. SB'04 Africa. *Paper ID*, *SB048*.
- Oladokun, T. T., Gbadegesin, T., & Odunfa, O. (2011). Factors Inhibiting Effective Commercial Property Right Governance Practice in Lagos, Nigeria. In Fadare, S.O., Aluko, B.T. And Afon, O.A. (Eds), Urban Governance and Environmental Challenges In A West African Sub Region. Ile Ife, Nigeria, A Publication of The Faculty of Environmental Design and Management, Obafemi Awolowo University, Ile Ife, Pp 182-195.
- Olapade, D. T., Ojikutu, O, and Aluko, B. T. (2022). Forestalling Conflict in Compensation of Compulsorily Acquired Customary Land: The Intergenerational Payment Option. Journal of African Real Estate Research, 7(1), 39–56.
- Oluwatayo, I. B., Timothy, O., & Ojo, A. O. (2019). Land Acquisition and Use in Nigeria: Implications for Sustainable Food and Livelihood Security. In (Ed.), Land Use Assessing the Past, Envisioning the Future. IntechOpen. https://doi.org/10.5772/intechopen.79997.
- Omirin, M. M., Nubi T. G. & Thontteh E. O. (2020.) Developers' Land Acquisition Activities and Housing Development in The Lagos Megacity Fringes. In Akinyele R. T., Nubi T. G. & Omirin M. M. (Eds.), Land and Development in Lagos. Lagos, Nigeria. University of Lagos.
- Omirin, M. M. (2002): Issues in Land Accessibility in Nigeria. Proceedings of a National Workshop on Land Management and Property Tax Reform in Nigeria; Department of Estate Management, University of Lagos, Akoka, Lagos, Nigeria
- Otubu, A. K. (2021). Quest for Housing and Preservation of Wetlands in Nigeria: A Case Study of Lagos State. *IJOCLLEP*, *3*, 146.

- Otubu, A. (2012). Private Property Rights and Compulsory Acquisition Process in Nigeria: The Past present and future. *European and International Law.* 8 (2), 5-29.
- Owoeye, O. J. & Adedeji, Y. M. D. (2015). Urban Land Acquisition for Sustainable Housing Delivery in Akure, Nigeria. *International Journal of Developing Societies*, 4(1), 10-20
- Santos, K. D. S., Ribeiro, M. C., Queiroga, D. E. U. D., Silva, I. A. P. D., & Ferreira, S. M. S. (2020). The use of multiple triangulations as a validation strategy in a qualitative study. *Ciencia & saude coletiva*, 25, 655-664.
- Salau, G. (2022). 20 Years on, LCDAs Year for Good Governance, Development. The Guardian. Retrieved July 2022 from: https://guardian.ng/opinion/20-years-on-lcdas-yearn-for-good-governance-development/.
- Shi, L., Lamb, Z., Qiu, X., Cai, H., & Vale, L. (2018). Promises and perils of collective land tenure in promoting urban resilience: Learning from China's urban villages. *Habitat International*. 77, 1-24.
- Southwick, S. M., Bonanno, G. A., Masten, A. S., Panter-Brick, C. & Yehuda, R. (2014). Resilience definitions, theory, and challenges: Interdisciplinary perspectives. *European Journal of Psychotraumatology*. 5(1)(25338)
- Thontteh, E. O. & Omirin, M.M. (2021). Barriers to Housing Development in Lagos Fringe Areas: A Developer's Perspective. *Journal of African Real Estate Research*, 6(1), 63-88.
- Thontteh, E. O., Omirin M. M., & Nubi, T. O. (2020). Developers' Land Acquisition and Housing Development Constraints in Lagos Fringe Areas. *The Lagos Journal of Environmental Studies*. 10 (2), 40-58
- Thontteh, E. O. and Omirin M.M. (2019) Land Administration Reform in Lagos State, An Evaluation of the Effectiveness of the Electronic Document Management System. *Unilag Journal of humanities*, 8 (2), 70-87
- Thontteh, E. O. and Omirin, M. M. (2015). Land Registration within the framework of Land Administration Reform in Lagos State. *Pacific Rim Research Journal*. 21(2) 161-177
- TVC News (2021). Agric Development: Lagos State Pays N38M Compensation To 16 Landowners. May 13, 2021. Retrieved on July 25, 2022, from: https://www.youtube.com/watch?v=m2 G3qtDhKxE.
- Udoekanem, N., David, A., & Onwumere, V. (2014). Land Ownership in Nigeria: Historical Development, Current Issues and Future Expectations. *Journal of Environment and Earth Science*.
- Wehrmann, B. (2008). Land Conflicts: A Practical Guide to Dealing with Land Disputes.
- Wikipedia (2022). Real Estate Development. https://en.wikipedia.org/wiki/Real_estate_development
- Zhanda, K. (2020). Beyond Recovery? Downturns, Implications and Prospects Oof Covid-19 Pandemic to Real Estate Development In Zimbabwe. *International Journal of Real Estate Studies*, 14(S1), 31-40.
- Zoomers, A., Van Noorloos, F., Otsuki, K., Steel, G., & Van Westen, G. (2017). The rush for land in an urbanizing world: From land grabbing toward developing safe, resilient, and sustainable cities and landscapes. *World Development*, 92, 242-252.