

**OFFICE OF THE
HIGH REPRESENTATIVE**

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2, November, 2001

Mr. Ismet Rahmanovic
Assistant Mayor
Department for Geodetic, Property and Legal Issues
Municipality of Banovici
Tuzla Canton
Federation of Bosnia and Herzegovina
Bosnia and Herzegovina

OHR-RRTF/LA2001/196

Dear Mr. Rahmanovic,

I refer to your letter of 23 May 2001 requesting a written waiver of the High Representative's Decision of 27 April 2000 that bans the reallocation of state owned property, including former socially-owned property.

In particular, you request this office to allow the Municipality of Banovici to allocate one plot of land, registered in the land books as cadastral unit number 619/32, covering the area of 500,00 m² - cadastral municipality of Omazici, to Mr. Mehmed Mehic for the purpose of housing construction.

The land records that you enclose demonstrate that the above mentioned cadastral numbers refer to socially-owned and undeveloped construction land, with no user registered, and that the right of the land disposal rests with the Municipality of Banovici.

The land allocation in question was advertised on the Public Board of the Municipality of Banovici and on the RTV Banovici on 4 September 1998 and on 23 February 2000, in accordance with the Municipal Decision on the construction land. According to the Minutes of the Municipality of Banovici the public opening of the bids was held on 6 March 2000, and the only bid was from Mr. Mehic.

The land allocation in question was confirmed by the Municipal Council of Banovici, in its decision number 16-800-136/01 of 23 April 2001, and approved by the Municipal Public Attorney, in his opinion number 13/1-75/2001 of 9 May 2001. The beneficiary's request for an urban permit was approved on 24 July 2001.

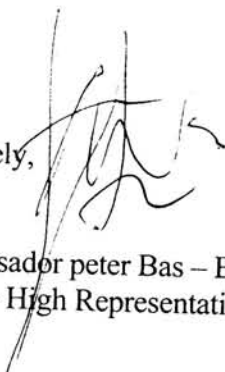
According to the Municipal Council's Decision of 23 April 2000, Mr. Mehic is obliged to pay compensation for the land allocation of 3,600.00 KM and compensation for the land facilities (rent) of 4,200.00 KM.

In light of the information that you have provided, this office authorises the Municipality of Banovici to allocate the aforesaid land for the purpose described above.

To the extent that this waiver is granted on the basis of the validity of the documentation you have provided, this waiver shall itself cease to be valid if a court of competent jurisdiction, under a final and binding decision, brings into question the authenticity or accuracy of this documentation, and/or the information that it contains.

This waiver is also granted on the understanding and condition that the beneficiary named above, inasmuch as he himself or his immediate family members are users of abandoned/claimed property, he and/or his immediate family members will, in a period of not more than 90 days from the date of your receipt of this decision, fully vacate this property. In addition, within the period stated, he must provide to your office correct documentary evidence, approved by the relevant housing body, that he himself and/or immediate family members have fully vacated all such property, and that the property remains in a habitable condition. Inasmuch as these conditions are not met, this waiver ceases to be valid immediately upon the expiry of the period stated.

Sincerely,

A handwritten signature in black ink, appearing to read 'Peter Bas-Backer', written over a vertical line that extends from the signature down to the typed name below.

Ambassador Peter Bas – Backer
Deputy High Representative for Return and Reconstruction