

**OFFICE OF THE  
HIGH REPRESENTATIVE**

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3 January, 2002

Mr. Dzevad Hadzic  
Head of the Department  
Municipality of Donji Vakuf  
Central-Bosnia Canton  
Federation of Bosnia and Herzegovina  
Bosnia and Herzegovina

OHR-RRTF/LA/2002/253

Dear Mr. Hadzic,

I refer to your letter No: 04-31-880/01 of 30 August 2001 requesting a written waiver from 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 Donji Vakuf to allocate one land plot, registered in the land books as cadastral lot 3162/2, covering the area of 560 m<sup>2</sup> – cadastral municipality of Donji Vakuf, to Mr. Stanko (Djoke) Stankovic, permanently residing at the address 707 Slavne Brdske Brigade, for establishing the preferential right of use for the purpose of constructing business premises.

The enclosed land and cadastral records demonstrate that the cadastral number 542/2, refers to socially-owned construction land and that the right of use and of ownership rests with Mr. Stanko (Djoke) Stankovic, with no other users registered.

Based on the Article 30 point 2 and in accordance with the Article 43 of the Law on Construction Land the Municipal Council of Donji Vakuf approved the land allocation in question by its Decision number 04-31-880/01 of 28 August 2001, while the Municipal Urbanism Department gave the urban permit for the proposed construction in its Decision number 23/02-473/01 of 13 July 2001. The land allocation in question was also approved by the Municipal Public Attorney Mr. Enes Gudic, who states in his letter number U-28/01 of 5 September 2001 that there are no legal or factual obstacles to the issuance of the requested waiver from the High Representative's Decision of 27 April 2000.

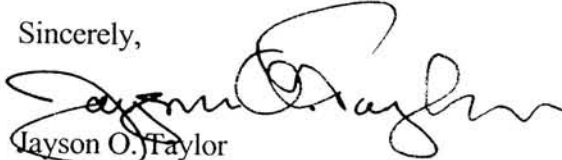
According to the Municipal Council's Decision of 28 August 2001, Mr. Stankovic is obliged to pay the land allocation compensation for the established preferential right of use for the purpose of construction in question, (i.e. rent) in amount of 2,808.00 KM

In light of the information that you have provided, this office authorises the Municipality of Donji Vakuf 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 150 days from the date of the issuance 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,



Jayson O. Taylor

Acting Deputy High Representative for Return  
Deputy Head of Department  
Reconstruction and Return Task Force