

OHR-RRTF/LA/2002/ 340

Dear Mr. Cvitanovic

I refer to your Opinion no: M: 21/01 of 31 July 2001 supporting and 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.

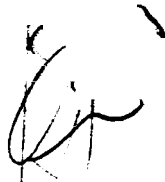
In particular, you request this office to allow the Municipality of Mostar West to allocate one plot of land, registered in the land books as cadastral unit 2796/7, covering the area of 194 m<sup>2</sup> – cadastral municipality of Mostar, to Mr. Zdravko Juric, for establishing the permanent right of use for the purpose of legalizing the existing business premises.

The land books records that you enclose demonstrate that the above mentioned cadastral numbers refer to socially-owned land and that the right of use rests with the Construction Company "Hercegovina" Mostar. According to the Municipal Minutes of 6 November 2000 signed by Mr. Vijeko Perhan as a representative of the registered user, CC "Hercegovina" Mostar agrees with the land allocation in question.

Based on the Article 66 of the Law on construction land, the land allocation in question was confirmed by the Municipal Council of Mostar West, decision number 0Z-I-151/2001 of 5 January 2001. It was also approved by the municipal public attorney, Mr. Stanko Cvitanovic, who states in his Opinion, number M 21/01 of 31 July 2001, that the responsible authorities have complied with the relevant laws and regulations and that the land allocation in question has been procedurally correct. The beneficiary's request for an urban permit was approved by the decision of the Municipal Department of Physical Planning, number 07/III-364-1702/00 of 24 July 2000.

According to the Municipal Council's Decision of 5 January 2001 and based on the the Decision on Amendments of the Decision for the Conditions and Manners of the City Land Allocation of the Municipality of Mostar, and in accordance with the correct zone-

Sincerely,

A handwritten signature in black ink, appearing to read 'Peter Bas-Backer', written over a vertical line.

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

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OHR-RRTF/LA/2002/ 340

Štovani gospodine Cvitanović,

Obraćam Vam se u svezi sa Mišljenjem br: M: 21/01 od 31. srpnja 2001. godine u kome podržavate i zahtijevate pisano izuzeće od Odluke Visokoga predstavnika od 27. travnja 2000. godine kojom se zabranjuje dodjela imovine u državnome vlasništvu, uključujući imovinu u bivšem društvenome vlasništvu.

Posebice, Vi tražite od ovog Ureda da dozvoli Općini Mostar Zapad dodjelu jedne zemljišne parcele uknjižene u zemljišnim knjigama kao katastarska čestica 2796/7, površine 194 m<sup>2</sup> – katastarska općina Mostar, gospodinu Zdravku Juriću, radi utvrđivanja trajnoga prava korištenja u svrhu legaliziranja postojećega poslovnoga objekta.

Zemljišnoknjižni izvaci koje prilažete ukazuju da se gore pomenuti katastarski broj odnosi na zemljište u društvenome vlasništvu i da pravo korištenja pripada Građevinskome poduzeću "Hercegovina" Mostar. Sukladno Općinskome zapisniku od 6. studenoga 2000. godine koji je potpisao gospodin Vijeko Perhan kao predstavnik uknjiženoga korisnika, GP "Hercegovina" Mostar suglasna je sa predmetnom dodjelom zemljišta.

Na temelju člana 66. Zakona o građevnome zemljištu, predmetnu dodjelu zemljišta je potvrdilo Općinsko vijeće Mostar Zapad, Rješenjem broj OZ-I-151/2001 od 5. siječnja 2001. godine. Također ju je odobrio i općinski javni pravobranitelj, gospodin Stanko Cvitanović, koji navodi u svome Mišljenju, broj M 21/01 od 31. srpnja 2001. godine, da su nadležne vlasti postupile sukladno važećim zakonima i propisima i da je predmetna dodjela zemljišta proceduralno ispravna. Korisnikov zahtjev za urbanističku suglasnost je odobren Rješenjem općinske Službe za prostorno uređenje, broj 07/III-364-1702/00 od 24. srpnja 2000. godine.

S poštovanjem,

*(potpisao)*

Ambasador Peter Bas - Backer

Zamjenik Visokoga predstavnika za povratak i obnovu