

**OFFICE OF THE  
HIGH REPRESENTATIVE**

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28 August 2002

Mr. Adis Hadrovic  
Mayor  
Municipality of Mostar Stari Grad  
Herzegovina-Neretva Canton  
Federation of Bosnia and Herzegovina  
Bosnia and Herzegovina

OHR-RRTF/LA/2002/533

Dear Mr. Hadrovic,

I refer to your letter of 7 February 2001 in which you on behalf of the Municipality of Mostar Stari Grad, request 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 Stari Grad to allocate one land plot, registered in the land books as cadastral unit 1209/2, covering the area of 421 m<sup>2</sup> – cadastral municipality of Mostar, (Mostar I) to Mr. Almin Ombasic, for establishing the permanent right of use for the purpose of legalizing the expanded business premises, i.e. car wash.

The land records that you enclose demonstrate that the above mentioned cadastral number refers to socially-owned undeveloped land and that the right of use rests with the Municipality of Mostar, with no other users registered.

Based on the Article 66 of the Law on Construction Land, the Municipal Council of Mostar Stari Grad approved the land allocation in question by its Decision number 01-02-377/01 of 19 December 2001, while the Mostar Department for housing issues, reconstruction and building gave the urban permit for the proposed construction by its Decision number 06-23-2423/00 of 19 June 2000. The land allocation in question was also approved by the Municipal Public Attorney, Mr. Asim Balalic, who states in his letter number M 114/01 of 14 November 2001, that the land allocation in question is in accordance with the relevant laws and regulations.

According to the Municipal Council's Decision of 14 November 2001 and based on Article 35. Paragraph 2. of the Municipal Decision on condition for and manners of the allocation of construction land (*Official Gazette of the City Assembly of Mostar "Stari Grad" No: 1/99*), Mr. Ombasic is not obliged to pay the land allocation compensation, while he is obliged to pay compensation for the land facilities (rent) in amount of 3,002.20 KM.

Mr. Ombasic will be registered in the land books as the new user of the land in question upon the enforcement of the Municipal Council's Decision.

In light of the information that you have provided, this office authorises the Municipality of Mostar Stari Grad 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.

Sincerely,

A handwritten signature in black ink, appearing to be '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