

**OFFICE OF THE
HIGH REPRESENTATIVE**

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21 October, 2002

Mr. Zoran Sopta
Assistant Mayor
Municipality of Mostar SW
Herzegovina-Neretva Canton
Federation of Bosnia and Herzegovina
Bosnia and Herzegovina

OHR-RRTF/LA/2002/577

Dear Mr. Sopta,

I refer to your letter of 21 May 2002 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 SW to allocate one plot of land, registered in the land books as cadastral unit number 2656/5 (parcelled of 2656/1), covering the area of 240 m² – cadastral municipality of Mostar, to Mr. Mario Soldo for the purpose of building housing premises.

The land records that you enclose demonstrate that the above mentioned cadastral number refers to socially-owned undeveloped land and that the right to use the land in question rests with the Municipality of Mostar.

Based on the Article 48 of the Law on Construction Land and on the Municipal Council's Decision on the allocation of construction land for the purpose of building housing premises no: 269/01 of 31 July 2001 the land allocation in question was confirmed by the Municipal Council of Mostar SW, in its decision number OV-01-369/01 of 8 October 2001. It was also approved by the Deputy Municipal Public Attorney, Ms. Nina Culanic, in her opinion number M 116/01 of 14 May 2001, who states that the land allocation in question is in accordance with the relevant laws and regulations. The beneficiary's request for an urban permit was approved on 19 July 2001.


According to the Municipal Council's Decision of 8 October 2001 and in accordance with a correct zone-price Mr. Mario Soldo is obliged to pay the land allocation compensation of 3,240.00 KM and the compensation for the land facilities (rent) in amount of 8,268.75 KM.

In light of the information that you have provided, this office authorises the Municipality of Mostar SW 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 60 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