

**OFFICE OF THE
HIGH REPRESENTATIVE**

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November 7, 2002

Mr. Zvonko Stanic
Secretary of the Municipal Council
Municipality of Mostar South
Herzegovina-Neretva Canton
Federation of Bosnia and Herzegovina
Bosnia and Herzegovina

OHR-RRTF/LA/2002/596

Dear Mr. Stanic,

I refer to your letter of 9 July 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 Mostar South to allocate one plot of land, registered in the land books as cadastral unit 892/3 (parceled of 892), covering the area of 892 m², cadastral municipality of Slipcici, to Ms. Marica Kordic for the purpose of legalizing the existing housing premises.

The land books records that you enclose demonstrate that the above-mentioned cadastral number refers to socially-owned and undeveloped construction land, i.e. former *erar*, with no users registered.

Based on Article 66 of the Law on construction land the land allocation in question was confirmed by the Mostar South Municipal Council's decision number OV-01-70/01 of 24 May 2001. The Municipal Public Attorney, Mr. Stanko Cvitanovic, approves the land allocation and states in his opinion number M: 7/01 of 22 May 2001 that the responsible authorities have complied with the relevant legislation and that the land allocation is procedurally correct. The legalization was also approved by the Municipal Department for Physical Planning, Construction, Housing Issues and Utilities, in its certificate of 10 October 2000.

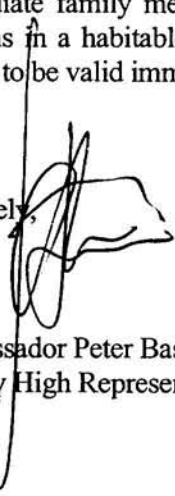
According to the Municipal Council's Decision of 24 May 2001, Ms. Kordic is obliged to pay the land allocation compensation in amount of 2,260.00 KM, while based on the Municipal Decision Establishing the Land Facilities Compensation, she is not obliged to pay the land facilities compensation (rent).

In light of the information that you have provided, this office authorizes the Municipality of Mostar South 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 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