

**OFFICE OF THE
HIGH REPRESENTATIVE**

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7 February 2003

Mr Jasmin Imamovic
Mayor
Tuzla Municipality
Canton Tuzla
Federation of Bosnia and Herzegovina
Bosnia and Herzegovina

OHR-RRTF/LA/2003/666

Dear Mr Imamovic,

I refer to your letter of 9 September 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 Tuzla to allocate by direct agreement and with compensation, undeveloped construction land to Investor LLC "Kinematografi Kolosej" for the purpose of construction of "Multikina" premises.

The Municipal Council adopted a decision number 01/07-31-3669/02 of 11 July 2002 on allocation by direct agreement and with compensation of the undeveloped construction land in the area of the old railway station in Tuzla registered as:

- cadastral unit number 3404 covering the area of 332 m², cadastral records number 310 cadastral municipality of Tuzla II, refers to socially-owned land with the right to land use held by Railway-Transport Company Tuzla;
- cadastral unit number 3400/17 covering the area of 7500m², and cadastral unit number 3392/2 covering the area of 3626 m², cadastral records number 1464 cadastral municipality of Tuzla II, refers to socially-owned land with the right to land use held by the Municipal Office for Use and Arrangement of the Town Construction Land;
- cadastral unit number 3406/2 covering the area of 385 m², cadastral records number 380 cadastral municipality of Tuzla II, refers to socially-owned land with the right to land use held by Zitokombinat Tuzla;
- cadastral unit number 3396/4 covering the area of 515 m², cadastral records number 310 cadastral municipality of Tuzla II, with the right to land use held by Railway-Transport Company Tuzla;
- cadastral unit number 3391/2 covering the area of 56 m², cadastral records number 288 cadastral municipality of Tuzla II, with the right to land use held by Trading Company RO Angrosirovina.

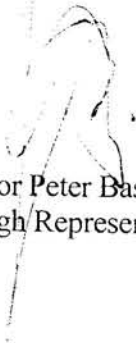
According to the survey Identification of 5 July 2002 of the Office of the Geodetic and Legal Property Affairs of Tuzla Municipality, the above mentioned cadastral numbers of the new survey correspond to cadastral numbers 9/532 and 1440/6 of the old survey registered in the land record number 1017, cadastral municipality of Tuzla.

According to the Tuzla Municipal Council's Decision number 01/07-31-3669/02 of 11 July 2002, the Investor is obliged to pay the land allocation compensation of 315.316 KM and the compensation for the land facilities (rent) in amount of 728.000 KM. Based on Article 6. Paragraph 2, of the Decision on the conditions for and manners of the construction land allocation of 30 October 2001, and upon the request of the Investor, the Municipal Council of Tuzla approved the allocation of land by direct agreement. The Department for spatial planning, and environment of Tuzla Municipality issued the urban permit for the construction of "Multikina" premises by its Decision number 06-23-005604-2001-SB of 16 November 2001.

In light of the information that you have provided, this office authorises the Municipality of Tuzla 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,



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