

**OFFICE OF THE
HIGH REPRESENTATIVE**

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30 January 2003

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

OHR-RRTF/LA/2003/646

Dear Mr Imamovic,

I refer to your letter of 6 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 Tuzla to allocate, on the basis of the publicized offer, land plots registered in the land books under the old land survey as: cadastral unit 1006/6, land record number 3110, cadastral municipality of Tuzla; cadastral unit 965/73, land record Iskaz I, cadastral municipality of Tuzla; and cadastral unit 1013/2 and 1012/4, land record number 146, cadastral municipality of Tuzla, to the Investor "Zovko DOO Zepce", for the purpose of construction of a petrol station.

The cadastral records that you enclose demonstrate that the above mentioned cadastral numbers of the old survey correspond to the cadastral numbers of the new land survey as follows: cadastral unit 589/2, socially-owned land, called "Kozlovac", registered in the cadastral record number 84, cadastral municipality of Soline, covering the area of 728 m², with the right of the land use on "Putevi Tuzla", and cadastral unit 801, socially-owned land, class 3 pasture, covering the area of 1662 m², cadastral municipality of Soline, with the right of the land use held by the Municipality of Tuzla.

Based on Article 26 of the Statute of the Municipality of Tuzla, and in connection with Articles 47, 48 and 49 of the Law on Construction Land, and Articles 4 and 11 of the Decision on the conditions for and manners of the construction land allocation, the Municipal Council of Tuzla approved the allocation of undeveloped town construction land with compensation, pursuant to the advertisement, to company "Zovko DOO Zepce", by its Decision number 01/07-31-868/01-I of 29 March 2002.

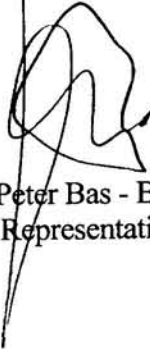
The land allocation in question was also approved by the Cantonal Public Attorney, Ms Zehra Kurt, who states in her letter number M-7/02 of 16 January 2003 that there are no legal impediments to the proposed allocation of land in the settlement of Soline for the purpose of construction of petrol station.

The Department for spatial planning, and environment of Tuzla Municipality issued the urban permit for the construction of the petrol station by its Decision number 06/3-23-115/01 of 22 January 2002. According to the Article 2 of the Municipal Council's Decision number 01/07-31-868/01-I, the Investor is obliged to pay the land allocation compensation of 62,140 KM and compensation for the land facilities (rent) in amount of 220,327 KM

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,

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