

**OFFICE OF THE
HIGH REPRESENTATIVE**

Emerika Bluma 1, 71000 Sarajevo
Tel: 387 33 283500 Fax: 387 33 283501

27 September 2002

Mr Licina Hazbo
Director
Administration for Legal Property, Geodetic Affairs
and Real Property Cadaster
Municipality Zenica
Zenica-Doboj Canton
Federation of Bosnia and Herzegovina
Bosnia and Herzegovina

OHR-RRTF/LA/2002/580

Dear Mr Licina,

I refer to your letter of 14 August 2002 in which you, on behalf of the Municipality Zenica requests 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.

Specifically, you request this office to allow to Zenica Municipality to allocate by direct agreement the land plot of infertile land covering the area of 132 m², registered as cadastral unit 213/16 of the old land survey, in the land record number 142 of cadastral municipality of Bilmiste Ricice-Svice as General public property with 1/1 division – for the purpose of construction of an access ramp for the commercial entrance to the business premises of the company "MERIDIJAN", Zenica.

The cadastral record demonstrates that the right of possession over the subject land rests with the Municipality Zenica. The land record that you enclose demonstrate that the cadastral unit covering the area of 132 m² registered as cadastral unit 213/16 of the old land survey, i.e. cadastral unit 1058/2 of the new land survey refers to undeveloped socially-owned construction land and that the right of disposal rests with the Municipality Zenica.

Pursuant to Article 47 and 48 of the Law on Construction Land and Article 16, Para 1 Item 11 of the Decision on Construction Land of the Municipality Zenica, as well as Article 34 and 40 of the Statute of the Municipality Zenica, the Municipal Assembly adopted a decision number 01-30-2-12812/02 at their session held on 1 August 2002, allocating by direct agreement the property in question to the beneficiary as mentioned above. The Cantonal Public Attorney's Office, in their Opinion number U-20/02 dated 09 May 2002 state that upon examination of the overall documentation there are no legal impediments to allocating the construction land by direct agreement for the purpose determined by urban permit. The Investor also submitted the official record certificate confirming that the decision on urban permit number 06/23-3-5024/99 dated 30 May 2001 is in effect.

Pursuant to Item 1 of the Municipal Assembly Decision number 01-30-2-12812/02, the beneficiary is obliged to compensation to the previous user in amount of 3.094,56 KM as well as the land facilities (rent) in the amount of 2.016 KM to be paid into the account of the Municipality Zenica.

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