The Municipality of Struga has its heart set on 50 000 square meters of the Eurotel Hotel on the coast of Struga

The Municipality of Struga, that is to say, its Mayor Ramiz Merko, has recently initiated an expropriation procedure for four parcels with a total area of more than 50,000 square meters on which a massive structure - the famous coastal Eurotel Hotel in Struga lies.

Author: Meri Jordanovska



Large grassy areas, basketball court and walking trails are now subject to expropriation

The apartment owners of the Eurotel Hotel fear that the Municipality will seize their valuable land for which they already have a court ruling recognizing their ownership, and the Municipality refuses to provide more detailed information on what is planned to be constructed on this part of the Struga coast.

These past few years, the trials and tribulations of the apartment owners have been further spiced up with suspicious events, all pointing toward someone's intent to appropriate the valuable land – incidents of arson, expropriation and mysterious “disappearance” of thousands of meters of land surrounding the hotel. Meanwhile, the owners with their court rulings go from one institution to another in order to prove their ownership.

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Nevertheless, the power-holders obviously do everything in their power to take hold of the attractive plots in the vicinity of the hotel where, besides the building itself, there is a basketball court, greenery and footpaths spreading across four plots.

MN: How did it all begin?

The investor of the Eurotel Hotel is the company Palasturist, a travel agency that no longer exists. The nearly 4-decade-old Agreement between Eurotel's investor Palasturist and one of the first apartment owners states that the "common parts of the hotel" include the squares, lawns, gardens, facades, corridors, stairs, and so on. The Agreement we have found dates back to 1981 and is hard to read, yet the part that stipulates which are private and which aliquot common parts of the hotel is clear and readable. Thus, the Tourist Apartment Sales and Purchase Agreement, with three articles (1, 4 and 8), guarantees the buyer that by means of purchasing the apartment, they become an owner of 73,124 square meters of land, including the land under the hotel, the courtyard area, parking lot, i.e. all cadastral parcels specified in the Agreement.



The cadastral parcel on which Eurotel lies

Over time, more and more individuals are purchasing the apartments, and towards the end of the 1990s, Palasturist is filing a lawsuit to claim these common parts of the hotel that previously belonged to the owners, but loses the dispute before all court instances.

The verdict of the three court instances in the Palasturist Lawsuit reads as follows:
"The owners of tourist apartments in the Eurotel Hotel Complex - Struga that have a Tourist Apartment Sales and Purchase Agreements with WO-TA Palasturist Skopje, are entitled to joint ownership of the common parts of the complex, including: the land, the squares, access roads, lawns, gardens, groves, playgrounds ... and other common and auxiliary facilities."

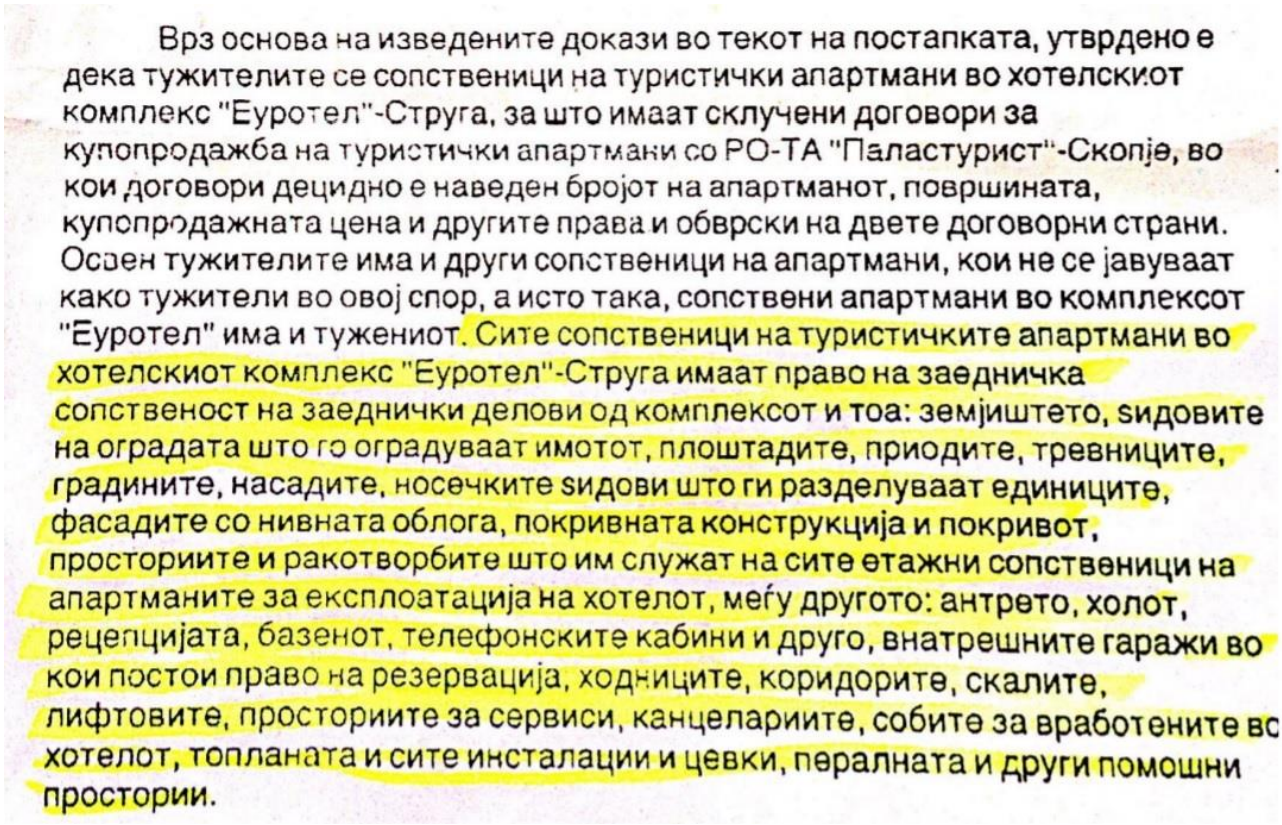
Thus, in March 1998, Skopje Basic Court rules in favour of the apartment owners in the

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Palasturist Lawsuit, confirming their right to, in addition to the apartments, jointly own the property of the hotel complex.

As soon as the following year, the court's decision is being disputed before a higher court - the Court of Appeal.

In January 1999, the Second Instance Court in Skopje upholds the Basic Court's ruling and obliges Palasturist to grant the ownership rights of the common property to the apartments' owners. The Supreme Court upholds the same ruling in April 2002.



Врз основа на изведените докази во текот на постапката, утврдено е дека тужителите се сопственици на туристички апартмани во хотелскиот комплекс "Еуротел"-Струга, за што имаат склучени договори за купопродажба на туристички апартмани со РО-ТА "Паластурист"-Скопје, во кои договори децидно е наведен бројот на апартманот, површината, купопродажната цена и другите права и обврски на двете договорни страни. Освен тужителите има и други сопственици на апартмани, кои не се јавуваат како тужители во овој спор, а исто така, сопствени апартмани во комплексот "Еуротел" има и туженият. Сите сопственици на туристичките апартмани во хотелскиот комплекс "Еуротел"-Струга имаат право на заедничка сопственост на заеднички делови од комплексот и тоа: земјиштето, ѕидовите на оградата што го оградуваат имотот, плоштадите, приодите, тревниците, градините, насадите, носечките ѕидови што ги разделуваат единиците, фасадите со нивната облога, покривната конструкција и покривот, просториите и ракотворбите што им служат на сите етажни сопственици на апартманите за експлоатација на хотелот, меѓу другото: антрето, холот, рецепцијата, базенот, телефонските кабини и друго, внатрешните гаражи во кои постои право на резервација, ходниците, коридорите, скалите, лифтовите, просториите за сервиси, канцелариите, собите за вработените во хотелот, топланата и сите инсталации и цевки, пералната и други помошни простории.

Part of the ruling of the Supreme Court

During this time, the owners believe that they own the plots around the hotel, the lawns, the playgrounds, the pathways. That is until 2016, when someone decides they should slowly start laying hands on this land.

MN: Fighting for land with arson

In 2016, a fire broke out on two occasions and in two small buildings near the beach in front of Eurotel. In 2016, a small building on the beach goes in flames, and in 2017 same thing happens to a barrack. That raises suspicion with the apartment owners, as the legal provisions stipulate that if the land has solid constructions on it, it cannot be alienated. The fire, for which the perpetrator was never found, leaves this land ripe for appropriation, raising suspicion that someone will try to build there.

"We had two constructions by the lake and they burned down, someone set them on fire. They probably thought it was easier to obtain the land without facilities on it. Obviously, everything was part of a plan, but we were not sure. The job of the police was to find out who set the buildings on fire and to prove whether the fires were an act of arson, but to date, the perpetrator has not been found," says Slavko Cukikj, owner

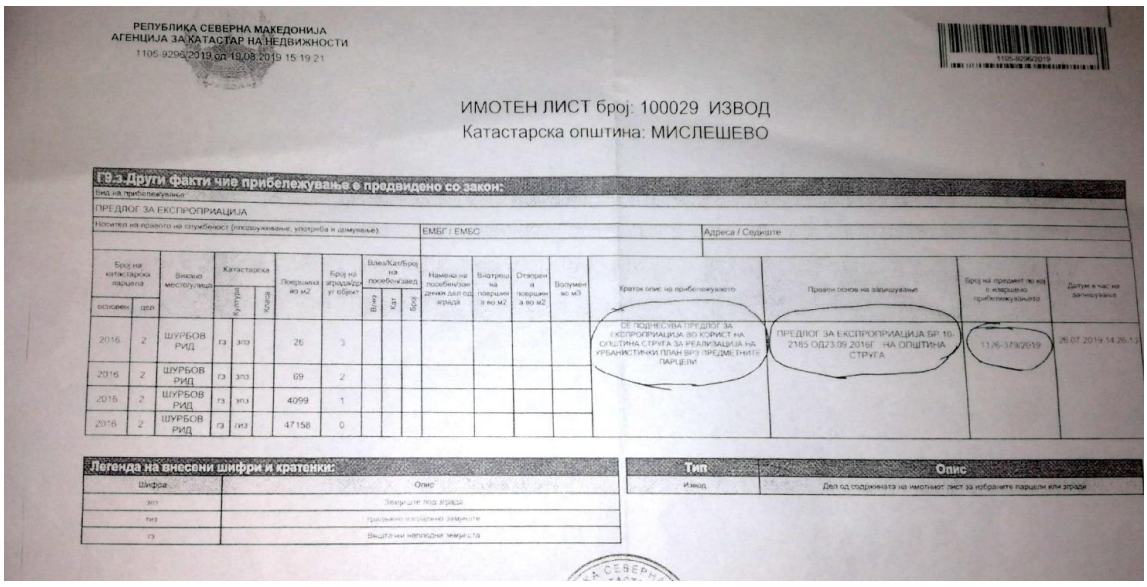
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of one of the apartments at Eurotel and a member of the hotel's Board of Directors.



Two fires in two years, the perpetrator is not found

That same year, 2016, the Municipality of Struga submits a proposal for expropriation in favour of the Municipality, for implementation of the Detailed Urban Plan on the parcels surrounding the hotel, as to what the apartment owners were not informed. In July 2019, the expropriation proposal is recorded in the title deed for more than 50 000 square meters.



РЕПУБЛИКА СЕВЕРНА МАКЕДОНИЈА
АГЕНЦИЈА ЗА КАТАСТАР НА НЕДВИЖНОСТИ

ИМОТЕН ЛИСТ број: 100029 ИЗВОД
Катастарска општина: МИСЛЕШЕВО

Г3.з.Други факти чие прибележување е предвидено со закон:

ПРЕДЛОГ ЗА ЕКСПРОПРИАЦИЈА

Број на катастарска парцела		Внесено место/улица	Катастарска		Површина во м2	Број на зграда/дел од зграда	Влез/Кат/Број на посебен дел			Намена на посебен дел од зграда	Внатрешна површина во м2	Отворена површина во м2	Волумен во м3	Краток опис на прибележувањето	Правен основ на запишувањето	Број на предмет во кој е извршено прибележувањето	Датум и час на запишувањето
основен	дел		култура	класа			Влез	Кат	Број								
2016	2	ШУРБОВ РИД	гз	зем	26	3								СЕ ПОДНЕСУВА ПРЕДЛОГ ЗА ЕКСПРОПРИАЦИЈА ВО КОРИСТ НА ОПШТИНА СТРУГА ЗА РЕАЛИЗАЦИЈА НА УРБАНИСТИЧКИ ПЛАН ВРЗ ПРЕДМЕТНИТЕ ПАРЦЕЛИ	ПРЕДЛОГ ЗА ЕКСПРОПРИАЦИЈА БР.10-2185 ОД23.09.2016Г НА ОПШТИНА СТРУГА	1176-379/2019	26.07.2019 14:26:13
2016	2	ШУРБОВ РИД	гз	зем	69	2											
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2016	2	ШУРБОВ РИД	гз	гиз	47158	0											

Легенда на внесени шифри и кратенки:	
Шифра	Опис
зем	Земјиште под зграда
гиз	Трајно изградено земјиште
гз	Вградени неподвижни ствари

Тип	Опис
Извод	Дел од содржината на имотниот лист за избраните парцели или згради

The expropriation proposal is listed on the property list in July 2019

Meanwhile, although they already have a court ruling stating their ownership of the land, the apartment owners have tried to buy it again for the price of 1 Euro per square meter.

"In 2016, we received information from the Municipality of Struga that by submitting a request to the Municipality, we would be able to redeem our land for the price of 1 Euro per square meter. Each of us individually submitted a request to the Municipality, but we never received a response, whether it has been

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decided in the affirmative or in the negative" says one apartment owner.

"We have repeatedly approached the Municipality to inquire about the procedure for our land acquisition requests and inquired about the number of requests made, but the employees were giving us the same answer time and time again: 'the documents are in Skopje for a review and we do not know when they will be returned.' It remains unclear to us what kind of expertise is being done and why Skopje should decide about a land in Struga, but instead getting some answers, we had the door slammed in our face."

At this time, from 2013 to 2017, the municipality is being governed by Zijadin Sela, the Mayor of Struga, who was then succeeded by Ramiz Merko.

To make matters even more confusing, all this time, and to this day, in the Agency for Real Estate Cadastre, this land is listed as a land in the ownership of the Republic of North Macedonia, and not in the ownership of the apartment owners who are willing to pay for it a second time.

Sela claims that he cannot remember the details regarding this land, but that the Government often passed decisions without his knowledge.

“I was the Mayor of Struga until 2016 and I honestly do not know if such procedure was initiated by the Government – i.e. the country while I was in office. I was not the Mayor at the end of 2016, and I would not be surprised if the Government did something without my knowledge because I was not in good relations with them. There were cases when they took possession of premises, declaring them objects of cultural interest. They could have done something without my knowledge. I really cannot remember right now," he told us.

MN: Mysterious allotment of over 20 thousand square meters

In the battle for Eurotel’s land, the apartment owners already lost 21,780 square meters of existing 73,124 square meters - a hotel appeared in the courtyard of the hotel complex, which to this day is still in a shell construction phase, and the apartment owners link the hotel to the local power-holders.



Over 20 thousand square meters are already in someone elses hands

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"Over 20,000 square meters of the land are already allotted, a construction of a hotel has started on one of the plots, and we are left with just over 50,000 square meters. We do not know who owns the hotel that was under construction. The works have stopped and the hotel is in a shell construction phase for years now, and it sticks out like a sore thumb in the middle of Eurotel's yard. We have also set up a committee to work on finding ways to redeem the rest of the land, there are documents confirming that this land is ours because we bought it, but we are willing to buy it again. That is all we can do because someone already stole over 20 000 square meters from us with the help from the Agency for Real Estate Cadastre and the Municipality. We still don't know whether we could redeem the remaining land, although it is already ours – probably not for the second time, at least that is how it seems to me. However, I hope that justice will be on our side," says Slavko Cukikj, owner of one of the apartments at Eurotel and a member of the hotel's Board of Directors.



The carbine for a new hotel near Eurotel

Apart from the hotel in a shell construction phase, in the Agency for Real Estate Cadastre in 2015/2016 appeared over ten registered previous landowners for these 21, 780 square meters. These owners are nowhere to be found in the documents of either Palasturist or Eurotel. They did not even appear as owners when disputes over the hotel were brought before the courts, and the apartment owners never saw or met with them. Therefore, it is unclear how the court granted the land to the apartment owners at Eurotel, if it already had other owners.

According to the data in the Agency for Real Estate Cadastre, peculiar area sizes are listed in the property deed records of the previous owners who allegedly own part of the land. Namely, the properties range from 2 square meters to over 600 square meters. According to the documents we have obtained, most of those lands were expropriated at the request of the Municipality of Struga in 2016, and the owners were indemnified the same year. However, what is unclear is, although the Municipality claimed ownership due to public interest, no stone has ever been moved on the expropriated land, nor was

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something ever built, except for the shell-hotel, whose ownership to this date remains unknown, nor was ever listed in the Agency for Real Estate Cadastre's map.

Namely, the Law on Expropriation stipulates that for a land to be appropriated from an owner, the owner should receive compensation from the Government, and the Government should claim ownership of the land for public interest purposes, whereas the Municipality will serve in the capacity of a user of that same land. In this case, in several expropriations in 2016, the owners were compensated so that the Municipality could build an access road. Such is the case with the expropriation of 87 square meters, for the amount of 247,623 denars, or 2846 denars per square meter for the construction of an infrastructure - access road. Four years later, no access road has been built in the vicinity of Eurotel.

The new state of affairs concerning Eurotel has led to a real chaos. In 2017, a beachfront owner appeared and set up a metal fence and a trailer camp in which a security guard sat and charged beach entry tickets.

"I know that a coastline can't be private, but here everything is possible. We reported it to the municipality, we called the police, so the fence on the beach and the trailer disappeared overnight, " says Cukikj.

MN: Merko: The Detailed Urban Plan is not being altered, nothing will be built

Evidently, Eurotel's attractive land is desired by many local power-holders, thus it is a banned topic for the advisers in Struga Municipality. The ones that we contacted claim that there are no changes made in the Detailed Urban Plan for that location, but when asked about the actual factual situation on the site, they shrug their shoulders, saying that they have no knowledge of the proposal to expropriate the land of the valuable seaside hotel.

Our efforts to reach the Mayor of Struga Ramiz Merko took quite some time, and when we finally reached him, he gave us imprecise answers.

"The Municipality can only use the land, the land is owned by the Government. We ask for expropriation only if there is a need for a road, a boulevard, something that is of public interest, but the Government owns it - the Municipality only uses it," Merko told us.

When we pointed out that the document from the Agency for Real Estate Cadastre states that an expropriation of the land on which Eurotel is located has been requested, the Mayor of Struga replied:

"I don't know what is in your documents, what I am saying is the truth, the DUP is not being altered, nothing will be built."

Merko had no answer as to why the road had not yet been built, on 87 square meters of land, for which the Government had already paid through an agreement, nor who owns the hotel that, for several years now, is just a shell erected on the land next to Eurotel.

"Tomorrow I will put you in contact with the officials from the Department of Urban Planning and they will explain everything to you," promised us the Mayor of Struga, but he did not keep his word and stopped responding to our calls and messages.

With the expropriation of 21,780 square meters of the land, despite having past 4 years, the Municipality of Struga has built nothing of public interest. It remains unclear as to why the expropriation of the remaining 50,000 square meters is needed if alterations in the Detailed Urban Plan are not being planned. There is much speculation and suspicion among the owners of the hotel apartments, who suspect the land will be

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usurped for private interests.

The Municipality of Struga has been in the public eye for a long time due to illegal buildings having been built on the coast. Opposition advisers have repeatedly publicly argued that Merko failed to comply with Council decisions. They, as an advisory group, had been sending complaints, lawsuits and even criminal charges, which fell on deaf ears and were not responded to. The opposition in the Struga Municipality Council has 13 members of the Alliance of Albanians, VMRO-DPMNE and Besa parties, but, the Mayor is pushing its agendas nonetheless. Although the ruling DUI-SDSM coalition has 12 advisers, the wind in the Mayor's sails are the two independent MPs who often vote affirmative on Merko's proposals.

The situation with Eurotel's land resembles the case with the project for the construction of open and covered playgrounds on the lake shore, which was adopted in 2015 when Struga's Mayor was Zijadin Sela. The project began with implementation in 2016, and in 2018 an investor for sports complexes appeared, with a prepared elaborate for a sports ground and a dressing room. However, what was put on paper and signed by Merko was not realized. Instead of a playground on the lake shore, a tent for weddings and festivities was built.

FRAMEWORK:
The history of a building with a long history

The Eurotel Hotel is a huge building with a long history. Its solid construction seems to withstand the test of time. While many would say the building has felt into decay, the fact remains that Eurotel is an exemplar of a proper chain hotel, used for short breaks with its small apartments, lake views, playground, footpaths, restaurant, greenery, entertainment section, and discotheque. Human neglect has done its part, but in recent years, large number of company- owned apartments were sold to individuals, so the hotel is starting to regain its old charm.

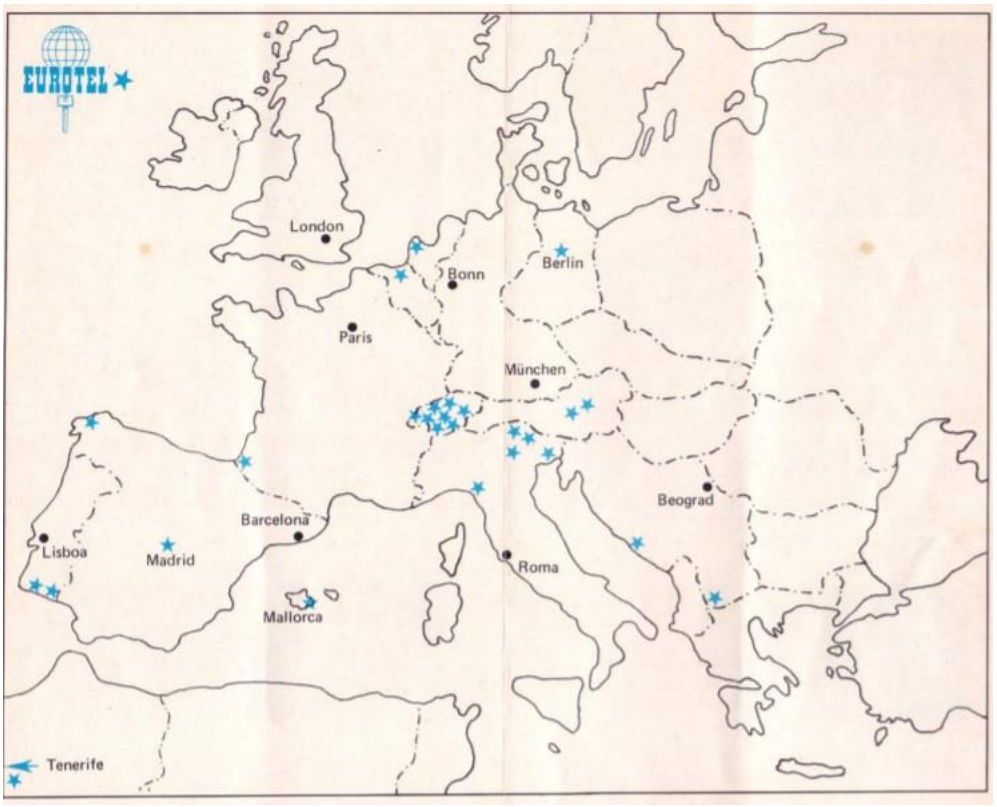


The entrance of the hotel

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"The value of Eurotel, for us that knows it, is really great. Not only because of the size of the building and its location, but because it has a history dating back to long time ago and at an international level," says one of the first apartment owners of this hotel in Struga.

It is a part of a chain of hotels that were built on a same principle and in accordance with the same standards in many locations in the Mediterranean, such as Spain, Italy, Germany and so on.



Map of countries where in the past there were so-called "Eurotels"

"Due to the strict building standards of the Spanish company, all hotels had to comply with the procedures. The point of a Eurohotel was the following - through buying an apartment you are getting the opportunity to use the common areas such as: kitchen, restaurant, playgrounds etc. You are using the apartment for one season, say, and then you get the right to exchange apartments, that is, you can go on a summer vacation in some of the apartments in the Eurohotels in the other countries," says one of the owners.

This principle no longer exists as not all hotels have met the standards over time, so each of them has different ownership situation. In this country, the settlement of ownership has brought a long lasting trials and tribulations to those who aspire to retain the beauty of this coastal structure.

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