Pursuant to the Article 135 of the Law on bankruptcy, the Bankruptcy Administrator of Zeljezara Niksic AD Niksic in bankruptcy, after completion of an assessment of the appropriateness of the sale of entire property of the bankruptcy debtor, in due time

  **N O T I F I E S**

the Bankruptcy Judge, Board of Creditors, the debtor, all the creditors and all the entities who have the pledge, ownership right or interest in the subject property or some other right, about the intention of the sale of entire property of Zeljezara Niksic AD Niksic in bankruptcy, and at the same time pursuant the Article 134 of the Law on Bankruptcy hereby issues the third

 **ADVERTISEMENT**

**ON THE SALE OF ENTIRE PROPERTY OF ZELJEZARA NIKSIC AD NIKSIC-**

 **IN BANKRUPTCY BY MEANS OF PUBLIC BIDDING**

**Subject of the sale**

Subject of the sale is entire property of Zeljezara Niksic AD in bankruptcy.

**Place and address of the property**

* The land is located on the territory of Niksic, i.e. on the territory of Cadastral Municipality Niksic, Cadastral Municipality Ozrinici, Cadastral Municipality Rubeza and Cadastral Municipality Klicevo. The parcels are closely described in Deed of title Excerpt issued by Realty Administration, which constitutes an integral part of this advertisement.
* Buildings, plants and equipment are located in Niksic, Vuka Karadzica bb;
* ABB device for the compensation of reactive power, located in the customs storage facility in Niksic;
* Port cranes (2 pieces) with their equipment located in Port of Bar in Bar

**Detailed description of the property**

The property of Zeljezara Niksic consists of the following:

* the land,
* buildings, and
* plants and equipment.

Entire property, which is the subject of sale, is closely specified in the list of **Deed of Title Excerpt**, and inventory lists, which constitute an integral part of this advertisement.

Besides the property which is listed in Deed of title Excerpt and inventory lists, the following property of Zeljezara Niksic which is treated as unfinished investment is also on sale:

* new electrical arc furnace, 65 tons capacity with its transformer and spare parts
* new dedusting system with Donaldson equipment for air drying
* new water cooling system
* ABB system for compensation of reactive power (note to the buyer: VAT in the amount of 509.150,00 Euros hasn’t been paid),
* mobile port crane HMK 280 E, producer “Gottwald” Germany, capacity 25tones, reach 44m, N\*128.195.00, produced in 1991., and mobile port crane HMK 260 E, producer “Gottwald” Germany, capacity 22,5tones, reach 42m, N\*128.1117.00, produced in 1995. (Note to the buyer: VAT for import hasn’t been paid in the amount of 290.360,00 Euros. If the buyer signs the contract on usage of these cranes with Port of Bar for the needs of Port of Bar, and pays app. 10.000,00 Euros, in that case the buyer has no obligation to pay unpaid VAT).
* Polyp grabbers (two pieces), producer “MRS” Greifer und Machinenbau, volume 4m3 of its own mass 8400kg, N\*3991 and N\*4022, produced in 2008.
* Polyp grabbers (two pieces), producer “MRS” Greifer und Machinenbau, volume 4m3 of its own mass 8400kg, N\*3986 and N\*4023, produced in 2008.

Residential units (apartments, garages and auxiliary facilities) which are listed in the Deed of title Excerpt are not part of the bankruptcy estate and they are not the subject of sale, because there are non-registered owners of these units who gained their rights on the basis of former regulations or those which are in effect, and they didn’t register their ownership right in cadastral books.

**Purpose of the property**

The property is intended for the steel production.

**Sale method**

* The entire property of Zeljezara Niksic is sold by means of public bidding.
* The property is sold as is, without the right to subsequent complaint.

**Starting price**

The starting price is 15.000.000,00 Euros, in words: fifteen million Euros

**Public bidding Procedure**

* Public bidding Procedure will be done on **30.April 2012**. at **11am** in the office number 1 in the Commercial Court in Podgorica, IV Proleterska Street, No 2.
* The right to participate in public bidding have domestic and foreign legal and physical entities.
* The public bidding procedure will be conducted by the Commission appointed by the Bankruptcy Administrator.

**Public bidding Conditions**

* Entities which are interested in public bidding are obliged to submit application for public bidding participation in closed and sealed envelope by **27.April 2012**. by 4 pm to the address: Commercial Court in Podgorica, IV Proleterska Street No 2, with indication Bankruptcy Number 76/11 “APPLICATION FOR THE ADVERTISEMENT ON PARTICIPATION IN PUBLIC BIDDING FOR THE SALE OF PROPERTY OF ZELJEZARA NIKSIC AD IN BANKRUPTCY - DO NOT OPEN”, which has to contain the following information and attachments:
* legal entities: application verified with the signature of authorized person and stamp of the company with information on full name and head office of the company, excerpt from the register of authorities for company registration, authorization for representing, evidence of the payment of obligatory deposit for the participation in public bidding and number of account on which the deposit will be returned in case that the entity fails in public bidding, with precise payment instructions, i.e. return of deposit if it is the foreign company;
* physical entities: application which contains surname and name, residential address, unique person’s number, ID number or passport number, verified copy of ID or passport, evidence of the payment of obligatory deposit for the participation in public bidding and number of account on which the deposit will be returned in case that the entity fails in public bidding, with precise payment instructions, i.e. return of deposit if it is the foreign physical entity.
* Deposit for the participation in public bidding is paid in the amount of 10% of the starting price and it is paid in as follows:
1. account of Commercial Court in Podgorica No 550-4299-87 in Podgoricka banka- Societe Generale Group for domestic legal and physical entities, or
2. foreign currency account for foreign legal and physical entities, as follows:

(Intermediary) SOGEFRPP

 Societe Generale-Paris

(Account with Inst) PDBPMEPG

 Podgoricka banka

 Societe General Group AD Podgorica

 (Beneficiary) PRIVREDNI SUD PODGORICA

 ME 25550005190000010736

 PODGORICA

 MONTENEGRO

**Selection of the bidder**

* Commission for conduction of the public bidding procedure shall treat the participant of the public bidding who offers the highest purchase price as the most advantageous bidder.
* Under the same terms and conditions- the advantage will be given to a participant at the public bidding which offers the highest purchase price and the best investment program.
* It will be deemed to have fulfilled the conditions for public bidding if at least one application for participation in public bidding comes by the deadline specified in the advertisement.
* Untimely applications and applications that are not supplied with the required information (messy applications) shall be treated as non-eligible for participation in public bidding.
* The Bankruptcy Administrator will make a decision on the selection of the most advantageous bidder within 7 days from the day of completion of the public bidding procedure, and he has to notify Bankruptcy Judge and the Board of Creditors about the decision within 10 days.
* The bidder whose bid has been selected as the most advantageous one will conclude the Sale Agreement and previously paid deposit will be included in the price.
* In case the selected bidder withdraws from the purchase, he loses the right to refund deposit, and the Bankruptcy Administrator may declare a second consecutive winning bidder, whose bid comes immediately after the bid with highest offered price.
* Sales tax, notary and certification costs as well as all other costs incurred in purchase will be borne by the buyer.
* The participants in public bidding that have not succeeded in bidding shall be refunded with the deposit within three days from the making decision day on selection of the winning bidder to the account designated by the participant.
* The Bankruptcy Administrator reserves the right not to declare the buyer on the basis of this advertisement and therefore does not bear the consequences, which means that the bids are not binding.

**Information on the time and place of gaining insight into the property**

Interested entities may directly by appointment gain insight into the property, the **Deed of Title Excerpt** and inventory list on every working day from 8 AM until 2 PM, starting from the day when the advertisement was published until the day of its closure.

**Sale Deadlines**

The advertisement is open for 30 days from the day of its publication in daily print media Pobjeda and Vijesti.

More detailed information on requirements and subject of sale may be obtained by phone call at:

040/202-222, 067/ 632 – 744 and 069 / 013 - 035.

 Bankruptcy Administrator

 Veselin Perisic