

**PEOPLE'S COMMITTEE OF HA TAY
PROVINCE**
No. 2123/QĐ-UBND

SOCIALIST REPUBLIC OF VIETNAM
Independence – Freedom – Happiness
Ha Dong, July 7th 2008

DECISION

**Allowing construction investment for the project of Kien Hung new urban area,
Kien Hung Commune, Ha Dong City, Ha Tay Province**

PRESIDENT OF PEOPLE'S COMMITTEE OF HA TAY PROVINCE

Basing on Construction Law dated 2003;
Basing on Land Law;
Basing on Housing Law;
Basing on Decree No.16/2005/NĐ-CP dated February 7th 2005 of Government
about managing investment project of civil construction;

Basing on Decree No.112/2006/NĐ-CP dated September 29th 2006 of
Government about amending and supplementing some articles of Decree No.
16/2005/NĐ-CP dated February 7th 2005 of Government about managing project
construction investment;

Basing on Decree No.02/2006/NĐ-CP dated January 5th 2006 of Government
about issuing regulations of new urban area;

Basing on Circular No.04/2006/TT-BXD dated August 18th 2006 of Ministry of
Construction guiding implementation of regulations of new urban area issued with
decree No.02/2006/NĐ-CP dated January 5th 2006 of Government;

Basing on Decree No.90/2006/NĐ-CP dated September 6th 2006 of Government
about detailed regulations and guiding to implement Housing Law;

Basing on Decision No.1617/QĐ-UBND dated June 13th 2008 about transferring
HUD3 Construction and Investment Joint Stock Company (representative of the Joint-
venture: HUD3 – Son Ha – Hop Phu – Tin Phu) to be Investor and implement the
construction investment project of Kien Hung new urban area, Ha Dong City;

Basing on Decision 1766/QĐ-UBND dated June 25th 2008 of People's
Committee of Ha Tay Province about approving detailed planning with rate 1/500 of
Kien Hung new urban area, Ha Dong City, Ha Tay Province;

Basing on suggestion of HUD3 Construction and Investment Joint Stock
Company (representative of the Joint-venture: HUD3 – Son Ha – Hop Phu – Tin Phu) at
Submission No.62/TTr – HUD3-SH-HP-TP dated July 2nd 2008, of Construction
Department at Submission No.1366/TTr-SXD-KT dated July 2nd 2008 about
Appraisal Report which suggests to allow construction investment for the project of
Kien Hung new urban area, Ha Dong City, Ha Tay Province (attached Document
No.213/SXD-TĐ dated June 30th of Department of Construction about appraising
primary design of the project)

DECISION

Article 1. Allowing construction investment for Kien Hung new urban area, Ha Dong City, Ha Tay Province with following contents:

1. The project's name: The project of construction investment for Kien Hung new urban area, Ha Dong City, Ha Tay Province.
2. Investor: HUD 3 Construction and Investment Joint Stock Company
 - Decision No.1617/QĐ-UBND dated June 13th 2008 about transferring HUD3 Construction and Investment Joint Stock Company (representative of the Joint-venture: HUD3 – Son Ha – Hop Phu – Tin Phu) to be Investor and implement the construction investment project of Kien Hung new urban area, Ha Dong City
 - Number of business registration: 0303000209 issued for the 1st time by Department of Planning & Investment of Ha Tay Province dated September 20th 2004, for the 6th change dated June 10th 2008 with fields of business including: Doing business on real estate, investment into the projects of housing and urban development, executing, building and installing the civil projects, industry, transportation, irrigation, infrastructure in urban and industrial areas ... and some other industries
 - Address of head office: 123 To Hieu, Ha Dong City, Ha Tay
 - Tel.: 0343.824572
3. Implementation duration and progress of the project:
 - Implementation duration: 5 years (2008 – 2012)
 - The 1st period: from 2nd quarter 2008 to 2nd quarter 2010: preparation for investment, building technical infrastructure
 - The 2nd period: from 2nd quarter 2010 to 4th quarter 2012: investing into building architectural projects with initial planning and designed approved
4. Scale of land use, border and population scale:
 - a. Position: the project belongs to 2 communes: Kien Hung and Phu Luong, Ha Dong City, Ha Tay Province
 - b. Border: Kien Hung new urban area has the border defined as followed:
 - The North is bounded by Green tree sports Park of the City and close to the road of Phuc La – Van Phu
 - The South is bounded by regional joining road 23,25m and railway protection corridor
 - The East is bounded by the Southern belt of the city and auction areas of land use right of Mau Luong 2, Mau Luong 3 of Ha Dong City
 - The West is bounded by regional road (18,5 m) and Nguyen Trai University
 - c. Area for occupying land, population scale:
 - Area for making planning of Kien Hung new urban area: 47,15ha
 - Population scale: 9622 people
 - Detailed planning for land use is implemented according to Decision No.1766/QĐ-UBND dated June 25th 2008 of People's Committee of Ha Tay Province about approving detailed planning with rate 1/500 of Kien Hung new urban area, Ha Dong City, Ha Tay Province.
5. Investment target of the project:
 - Invest into building technical infrastructure project of new urban area comprehensively, meeting the demand for urban development, social – economic development and scenery of Ha Dong City;
 - Exploit land fund, create the condition to expand housing fund for the locality and Ha Tay province, meeting partly the demand of housing, providing trading services

for the inhabitants in the region and surrounding areas; ensuring environmental sanitation and creating the jobs for workers.

- Increase the income for the budget from effectiveness of housing business

6. Investment content

a. Investment form: Building new urban area including technical infrastructure, housing areas, public projects... according to approved planning, meeting the regulated requirements and standards.

b. Investment content and scale:

- Building Kien Hung new urban area, Ha Dong City, Ha Tay Province, basing on detailed planning for construction with rate 1/500 approved by People's Committee at Decision No.1766/QĐ-UBND dated June 25th 2008 of People's Committee of Ha Tay Province, including:

No.	Type of land	Area (m2)	Target (m2/person)	Rate (%)	Rate of living land
I	Land for building housing	241.547	25, 1	51,22	100
1	Land for constructing high-rise building	47.311, 13	4,92		19,59
2	Land for mixed use	61.281, 32	6,37		25,37
3	Land for building close house	71.073, 36	7,38		29,42
4	Villa	61.881, 67	6,43		25,62
II	Land for public project	33.056, 31	3,44	7,01	
III	Land for transportation	133.595, 32	13,88	28,33	
IV	Land for green tree, sports, water surface	48.292, 31	5,01	10,24	
V	Land for clue infrastructure	15.074, 09	1,57	3,2	
VI	Total	471.565, 51	49.0	100	

Particular project items are implemented according to targets of architecture – planning of the project of detailed planning for construction with rate 1/500 approved and basic design was appraised by Department of Construction at Document No.213/SXD-TĐ dated June 30th 2008

c. Methods for technical infrastructure:

- Leveling the whole floor of planned land area according approved design
- System of transportation road, grounds, inner parking lot in the project must ensure the quality, comprehensive under Vietnam's Standard and detailed planning for construction with rate 1/500 approved
- System of green tree, grass bed, water surface ensures environmental scenery under standard of evaluating environmental effect
- About electricity supply, water supply and drainage, communication, project's height: must ensure suitable, comprehensive connection with regional system and have agreement in written of related agencies before implementing the project
- Drainage: according to drainage system of the area under approved planning
- Water supply: according to planning 1/500 approved by People's Committee of Ha Tay Province
- Communication: design communication system under current regulation standards, comprehensive with regional system. Investor works particularly with professional management agencies, agree with investment scale and specific methods for the project

- Fire and explosion prevention: When designing the construction projects, regulation for fire and explosion prevention for buildings and projects (Vietnam's Standard 2622/1995) must be obey strictly, arranging the positions for fire prevention at convenient places, have the regulation table for fire and explosion prevention according to basic design document about fire prevention to submit for approval of PC23 Police Department of Ha Tay Province. There is system of emergency exit to ensure the inhabitants living and working in high-rise building

- Amount, weight, area of specific items, Investor has made in the project and appraised for basic design by Department of Construction at Document No.213/SXD-TĐ dated June 30th 2008

7. Type, level of the project: technical infrastructure project

8. Method for compensation of site clearance:

- Implement under current regulation
- Compensate on land area approved for planning and decision for withdrawing realistic use of the project under Decision of People's Committee of Ha Tay Province
- Investor pays for compensation money by site clearance in advance under State regulation and Decision of People's Committee of Ha Tay Province

9. Method for land use:

- Transferring land with collecting the money by land use under current regulation
- Money by land use: Investor pays for land use after having decision under regulation at the time when land is transferred

10. Total investment amount in 1st period: 780.000.000.000 VND, including:

No.	Items of the project	Amount (VND)
A	Land expense for the project	407.000.000.000
I	Compensation for site clearance (according to Decision No.1698/QĐ-UBND dated June 23 rd 208)	134.000.000.000
II	Expense for transferring land use right	273.000.000.000
B	Expense for investment into building technical infrastructure of the project	218.000.000.000
I	Paying for investment capital into building technical infrastructure according to Official Correspondence 1600/BXD-VP dated July 25 th 2007 of Ministry of Construction	208.000.000.000
II	Expense for evaluating the quality of construction project, disarming bomb, mine and assessing environmental effect	10.000.000.000
C	Standby expense for the project	50.000.000.000
D	Interest rate of banking loan while building	105.000.000.000
E	Total investment level for building technical infrastructure of the project	780.000.000.000

Total investment level of the approved project is estimated on the basis of regulations of Circular No.04/2006/TT-BXD dated August 18th 2006 of Ministry of Construction about guiding implementation of regulations of new urban area issued according to Decree No.02/2006/NĐ-CP dated January 5th 2006 of Government. Expense for site clearance, for land use approved above is only estimate basing on suggestion of Investor, value for compensation of site clearance and expense for land use must base on reality of land withdrawing and implemented according to Decision approved about the price of Provincial People's Committee and current legal regulations

2nd period: After completing the 1st period, the next period will be invested by capital resources of owner, of banking loan and other mobilized capital to complete the project according to the progress, the quality to ensure regulated requirements

11. Capital resources for investment:

- Ownership capital of the Joint-venture (20% of total expected investment level of the 1st period of the project) is 156 billions VND

- Capital from banking loan and legal mobilized capital are 624 billions VND

12. The projects are transferred but not compensated: Technical infrastructure projects are transferred to the province and the locality for managing exploitation, use but not compensate

13. The project's management form: Investor directly manages the project

14. Regulation for the project Investor and related agencies in construction management, operation, business and transference of the projects:

a. Rights and obligations of Investor:

- Investor implementing the project has rights and obligations under regulation of Investment Law, Land Law, Construction Law, Housing Law and regulations at Decrees, Circulars to guide by Government and related Ministries, Branches to construction investment

Requirements for Investor:

- Supplement fully opinions of Department of Construction about appraising basic design and of Departments, Branches about contributing ideas for the project in process of implementing the project's design

- Build the projects approved in the 1st period, ensuring the quality; transferring the project ensuring right to regulated order and procedure

- Process of the project implementation of construction investment for each item of the specific project according to the approved project; require Investor to implement ensuring right to regulated order by Construction Law, Decree 16/2005/NĐ-CP dated February 7th 2005 of Government about managing construction investment and other related current regulations

- Compose management regulations for the project implementation of new urban area, housing to submit for approval of Provincial People's Committee before implementing the project

b. People's Committee of Ha Dong City:

- Guide to establish Council for Compensation and Site Clearance, make the method to approve compensation, site clearance to submit for approval and appraisal of the competent level; and organize implementation or support for administrative methods in site clearance under legal regulation

- Coordinate with related Department, Branches to propose the methods to supervise the construction project's quality, manage public services, administrative management unit of new housing area to receive the transference after the project is completed

- Make the method to receive transference of technical, social infrastructure projects by Investor, receiving transference and exploitation of the projects must be implemented right to current legal regulations

c. Departments, Branches of the province:

- Coordinate and create the condition to help Investor of the project to complete the procedures of transferring land, renting land, procedures for investment, supply of technical infrastructure outside the project's barrier to carry out the project of new urban area under legal regulation

Implement the State management function under competence in managing construction investment of new urban and housing area

15. Support, incentive for Investor: The project's Investor is received incentives under current legal regulations

Article 2: This Decision has validity since signed day; Manager of Departments, Branches: Planning & Investment, Construction, Finance, Transportation, Industry Commerce, Natural Resources & Environment, Agriculture & Rural Development, Information and Communication, Home Affairs, Ha Tay's State Treasury, Ha Tay's Electricity, People's Committee of Ha Dong City, the Joint-venture of HUD3 Construction & Investment Joint Stock Company, Son Ha International Joint Stock Company, Hop Phu Development and Investment Joint Stock Company, Tin Phu Development and Investment Joint Stock Company and related agencies have responsibility for implementing this Decision

Recipients:

- President, Vice Presidents of Provincial People's Committee
- Head of the Secretariat, Vice Head of the Secretariat – Provincial People's Committee
- As in article 2
- Archived at the office, CNXD2 (3b)

**PP. PRESIDENT
STANDING VICE PRESIDENT**

**Nguyen Huy Tuong
(Signed & Sealed)**

This is hereby certified that Ms. Pham Thi Nien, holding the ID Card No: 151267483, issued on 24th April, 1996 at Thai Binh Public Security, who personally signed before me

Certified No: 39 ; Volume No: / SCT/CK

at Thanh Xuan district on 10 February 2009

Chứng thực bà: Phạm Thị Nhiên;
CMND số: 151267483,
cấp ngày 24 tháng 04 năm 1996 tại Công an tỉnh Thái Bình,
đã ký trước mặt tôi

Số chứng thực: 39 ; Quyền số: / SCT/CK
tại quận Thanh Xuân ngày 10 tháng 02 năm 2009

I, Pham Thi Nien, holding the ID Card No. 151267483, issued on 24th April, 1996 at Thai Binh Public Security, hereby undertake that I have translated this document from Vietnamese into English accurately.

Dated: 10 February 2009

Tôi, Phạm Thị Nhiên; CMND số: 151267483, cấp ngày 24 tháng 04 năm 1996 tại Công an tỉnh Thái Bình cam đoan đã dịch chính xác giấy tờ/văn bản này từ tiếng Việt Nam sang tiếng Anh

Ngày 10 tháng 02 năm 2009
Người dịch/Translator

Phạm Thị Nhiên



**P. TRƯỞNG PHÒNG TƯ PHÁP
NGUYỄN THỊ HUYỀN**