



**PRIVATE USE PERMIT CONTRACT  
BETWEEN THE  
FORESTRY DEVELOPMENT  
AUTHORITY  
&  
THE PEOPLE OF  
DEEGBA CLAN**

*F.D.A.*

*P.O. Box 10-3010*

*Whein Town, Mount Barclay*

*1000, Monrovia 10 Liberia*

*Thursday, October 6, 2011*



REPUBLIC OF LIBERIA)  
MONTSERRADO COUNTY)

**PRIVATE USE PERMIT CONTRACT BETWEEN THE FORESTRY DEVELOPMENT AUTHORITY AND THE PEOPLE OF DEEGBA CLAN, DISTRICT # 3, FOR HARVESTING OF 4,735 HECTARES OF FORESTLAND LOCATED IN GRAND BASSA COUNTY, REPUBLIC OF LIBERIA.**

THIS CONTRACT made and entered into this 6<sup>th</sup> day of October A.D. 2011, by and between the Government of Liberia, through the Forestry Development Authority, hereinafter referred to as the **Authority**, represented by its Managing Director, Moses D. Wogbeh Sr. and the People of Deegba Clan, District # 3, Grand Bassa County, hereinafter referred to as **Deegba**, represented by Eliza D.J. Kronyanh hereinafter collectively referred to as the Parties, hereby;

**W I T N E S S E T H:**

**WHEREAS**, the Authority is statutorily responsible for the sustainable management and use of all categories of forest resources;

**WHEREAS**, the Citizens of Deegba Clan, District # 3, are legitimate and bonafide owners of an aggregated land mass of 11,700 acres/4,735 hectares of forested land by virtue of inheritance through a legitimate purchase from the Republic of Liberia;

**WHEREAS**, by virtue of Section 5.6 (d) (i) of the National Forestry Reform Law (NFRL) of 2006, copy of a set of duly certified Public Land Sale Deed issued under the signature of President Charles D.B. King on November 7, A.D. 1924 in proof of ownership of the subject aggregated tract of land is hereto attached and marked Exhibit "A" in bulk to form a cogent part of this contract;

**WHEREAS**, in further verification of the subject property, the Ministry of Lands, Mines & Energy finally gives authentication and verification to the said Deegba Clan, District # 3 Deed through a letter under the signature of Acting Assistant Minister Maxwell C.F. Gwee. Attached also is the said verification letter marked Exhibit "B" to form an integral part of this Contract;

**WHEREAS**, citizens including elders and youths of the above named Deegba Clan, District #3, Grand Bassa County, comprising, Bargeegiah Town, Boe Town, Boe-Juah/Flomo Village, Garkpee, Goweh/John Nover, Jallah Village, James Pue, Kassian Village, Koryongar/Banana Village, Manawon Town, Momo Village, Peter Dongun Town, Sawkpah, Tromue and Wreakanta Towns, have given their **written consent** to the appointment and selection of Eliza D.J. Kronyanh, as their Representative and Legal Agent to act in their behalf for the sustainable management of their forest resources.

**WHEREAS**, validation of the area in keeping with Section 5.6 (d) (ii) of the NFRL and Section 61 of FDA Regulation 102-07 shows that the said tract of land is un-encumbered

*M.D. Wogbeh Sr.*      *Eliza D.J. Kronyanh*      *[Signature]*

and does not overlap with any forestry designated land use. Said validation report is hereto attached and marked Exhibit "D" forming also an integral part of this contract;

**WHEREAS, Deegba Clan** is desirous of commercializing harvestable tree species on the said accumulative tract of 11,700 acres/4,735 hectares of land;

**WHEREAS;** the Authority having examined **Deegba's** application and the requirements of Section 3.6 of the NFRL having been met, declares **Deegba Clan** qualified for the issuance of a Private Use Permit that will allow it enter into contractual agreement with any company or corporation to carry out said commercial activities; and

**NOW, THEREFORE,** for and in consideration of the mutual promises and agreements herein contained, the parties do hereby agree as follows:

1. Definitions

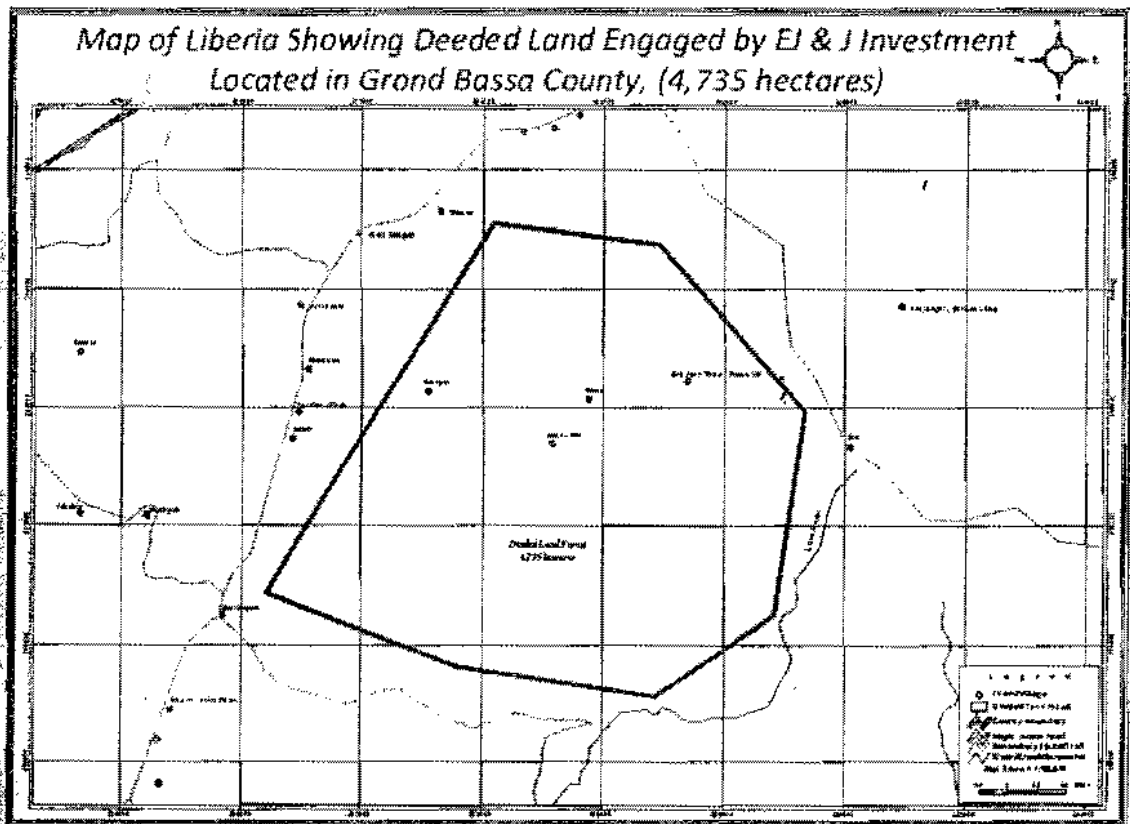
- a. Authority: The Forestry Development Authority (FDA) created by an Act of the Legislature on November 1, 1976.
- b. Annual Operations Plan: the plan that guides the annual operations of the Holder
- c. Chain of Custody: the path of custodianship followed by logs, Timber and wood products through harvesting, transport, interim storage, processing, distribution and export from source of origin in the forest to end use.
- d. Code of Forest Harvesting Practices: a set of standards for environmentally sound forest use prepared by the Authority
- e. Conservation: the sustainable management and protection of forest resources to achieve maximum environmental, social, economic and scientific benefits for present and future generations
- f. Forestry: the science, art and practice of conservation of forest resources
- g. Forest Resources License: any legal instrument pursuant to which the Authority allows a person, subject to specified conditions, to extract forest resources or make other productive and sustainable use of forest land. This includes Forest management Contracts, Timber Sale Contracts, Forest Use Permit and Private Use Permit.
- h. Forestland: a tract of land, including its flora and fauna capable of producing forest resources, or land set aside for the purpose of forestry, but not including land in permanent settlements and land that has been in long term use for non-shifting cultivation of crops or raising livestock.

- i. Forest Product: any material or item derived from forest resources.
- j. Forest Management Contract: forestry contract which covers a land area of 50,000 – 400,000 hectares.
- k. Holder: a person who holds a valid forest resources license
- l. Land Owner: a person who owns land by legal title
- m. Operator: a person harvesting or making commercial use of forest resources under a forest resources license, including a person working as an employee, contractor or other agent for a Holder.
- n. Pre-Felling Operations: legal requirements of the Holder before felling of logs. They include posting of required performance bond; preparation of initial annual operations plan and preparation of environmental impact assessment.
- o. Private Use Permit: a forest resource license issued by the Government to allow commercial use of the forest resources on private land.
- p. Public Use Permit: a forest resource license issued to extract forest resource from an area less than 1000 hectares.
- q. Reforestation: the establishment of a tree plantation in a previously forested area that has been affected by cutting, fire, or some other act of tree removal.
- r. Societe Generale de Surveillance (SGS): the institution/company responsible to manage the Chain of Custody System.
- s. Timber Sale Contract: a short term forest resources license issued by the Government for a period of three (3) years that allows a person to harvest timber from a specified tract of forest land.

## 2. Metes and Bounds/Technical Description of Deegba Forest Land & Map

The boundary line commences at a point near the Town of Bargeegiah, thence a line runs N 31° E for 7,253 meters to a point; thence a line runs S 83° E for 2,792 meters to a point; thence a line runs S 41° E for 3,715 meters to a point; thence a line runs S 8° W for 3,480 meters to a point; thence a line runs S 55° W for 2,403 meters to a point; thence a line runs N 82° W for 3,301 meters to a point; thence a line runs N 69° W for 3,425 meters to the point of commencement, containing 4,735 hectares of land and NO MORE.

## 3. Map of Deegba Clan, District #3 Forestland



## 4. Contract Objective

- To harvest merchantable tree species from 4,735 hectares of tract of land otherwise called the Deegba Forest Land
- To engage in reforestation of the area involving indigenous species
- To create alternative uses of the tract of land after harvesting of trees
- To create employment for about 250 locals of the contract area and surrounding towns and villages.

MJDW

5. **Contract Duration**

The contract shall be for three (3) years.

6. **Chain of Custody System**

In keeping with Section 13.5 of the National Forestry Reform Law of 2006 and sections (1-35) of FDA Regulation 108-07, the Chain of Custody System will apply during the life and implementation of this contract. The system so established for the tracking of logs, timber and wood products from forest to processing and then to domestic or foreign market shall be managed by Societe Generale de Surveillance (SGS) using SGS/Helveta equipment and software as provided for by section 3.2 (3) of the Chain of Custody System Management Contract of 2007.

7. **Land Rental & Stumpage Tax**

Consistent with Section 5.7(b) of the National Forestry Reform Law of 2006, the Company shall not be charged to pay land rental tax. However, stumpage shall be paid consistent with Section 5.7 (c) of the National Forestry Reform Law and also consistent with Section 22(b) of Regulation 107-07.

8. **Other Fees & GOL Taxes**

All other fees and GOL Taxes levied on the project shall be consistent with the Revenue Law of Liberia and FDA Regulation.

9. **Pre-felling Date**

Before Company is certified for felling, all pre-felling operations including the following must be completed:

- a. Posting US\$50,000.00 performance bond
- b. Submission of initial annual operations plan
- c. Environmental Impact Assessment
- d. Social Agreement

10. **Employment**

Recruitment and employment by the Company shall be consistent with Labor Law of Liberia and International Labor Organization.

## **Termination**

This contract shall be terminated if the company upon notice of breach of any term of this Contract fails to remedy said breach within a period of (60) sixty days.

### 9. **Force Majeure**

In the event of force majeure, which causes either party from meeting its obligations herein stated, the Contract shall be suspended as long as the force majeure continues.

### 10. **Duty of Care**

The Authority shall ensure that the Company maintains environmental quality of the cutting area and comply with all other conditions consistent with the Liberia Code of Harvesting Practices to include:

- a. Water course protection
- b. Erosion prevention
- c. Prevention of pollution to rivers, streams and other waterways by disposal of wastes
- d. Prevention of fire disaster

The operation shall also be in conformity with international conventions to which Liberia is a party. They include: the Convention on Biodiversity, the International Tropical Timber Agreement, the United Nation Framework Convention on Climate Change, the United Nations Convention to Combat Desertification, the Convention on International Trade in Endangered Species and the RAMSAR Convention on Wetland Management

### 11. **Governing Laws**

In effecting this Contract between the Corporation and the Authority, the relevant Laws of Liberia including but not limited to the National Forestry Reform Law and regulation governing Chain of Custody will prevail.

### 12. **Binding Effect**

This Agreement is binding on the parties, their successors-in-office as if they were physically present at execution of this instrument.

In witness whereof, we have affixed our signatures on the day and date first mentioned above.

MDN

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**FOR THE AUTHORITY**

*[Handwritten Signature]*  
\_\_\_\_\_  
Witness

Approved:

*[Handwritten Signature]*  
\_\_\_\_\_  
Moses D. Wogbeh, Sr.  
Managing Director



**FOR THE CITIZENS OF DEEGBA CLAN, DISTRICT #3**

*[Handwritten Signature]*  
\_\_\_\_\_  
Witness

*[Handwritten Signature]*  
\_\_\_\_\_  
Mrs. Enza D.J. Kronyanh

Approved

*[Handwritten Signature]*  
\_\_\_\_\_  
Florence Chenoweth  
Chairman-FDA Board of Directors



*[Handwritten initials]*



**DEGGBA CLAN, GRAND BASSA COUNTY, LIBERIA**

August 15, 2011

Hon. Moses D. Wogbeh, Sr.  
Managing Director  
Forestry Development Authority  
Benson Town, Paynesville City  
Republic of Liberia

Dear Hon. Wogbeh:

There are numerous species of harvestable trees on our private deeded land on which we want to carry out logging activities. In this regard, we are writing the Forestry Development Authority for a Private Use Permit (PUP) to be able to go into logging on our deeded land. We are enclosing our private deed for your perusal.

Sincerely yours,

  
Samuel P. Mentoe

CHAIRMAN FOREST MANAGEMENT COMMITTEE

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KIDU  
KIDU

# EJ & J INVESTMENT CORPORATION

P.O. Box 1922

Corner of Clay & Carey Streets

Monrovia, Liberia

Cell # 06513-241

March 5, 2009

Hon. Wags D. Wogbeh, Snr.  
Honorary Director  
Forestry Development Authority (FDA)  
Barrington, Mount Barclay  
WEST AFRICA

Hon. Hon. Director:

We are delighted to inform you that the citizens including the Superintendents, Representatives, and Commissioners of Jo-River District and Deegba Clan in District # 3, met in a citizens meeting for the purpose of discussing the possibility of granting EJ & J Investment Logging Company, a registered company operating under the Laws of the Republic of Liberia, the right to sustainably manage and exploit their deeded land.

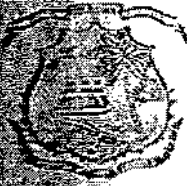
After lengthy deliberations, it was agreed that the above companies be given the right to manage and forest in their beloved County. In reaching this conclusion Hon. Wogbeh, we were mindful into consideration that your institution through the Government of Liberia awarded Private Forestry Licenses in various parts of Liberia in line with the New Forestry Law of Liberia of 2006.

In the backdrop Hon. Director, we are submitting a legal documentation, including deeds and locations of said forest to your good offices for the purposes of issuing our company a *Private Forestry License (PFL)*, in consonance with the New National Forestry Law of 2006 and Community Rights

We appreciate your continued understanding.

  
Wags D. Wogbeh  
CEO  
EJ & J Investment Logging Company

MM



REPUBLIC OF LIBERIA  
MINISTRY OF LANDS MINES & ENERGY

P. O. BOX 10-9024  
1000 MONROVIA 10, LIBERIA, WEST AFRICA  
TEL: (231) 226-858, FAX: (231) 226-281



Thursday, September 29, 2011

Hon. Moses D. Wogbeh, Sir  
Managing Director  
Forestry Development Authority  
Wharf Town, Mount Barclay  
Monrovia, Liberia

Dear Hon. Wogbeh:

We write to present our compliments, and acknowledge receipt of your letter dated 27<sup>th</sup> September 2011, requesting the Ministry of Lands, Mines & Energy to review, verify and authenticate deeds pertaining to Jo-River District and Deegba Clan; we are pleased to furnish you with the results derived.

Hon. Wogbeh, after carefully plotting, analyzing and field verification by County and Resident Surveyors, it was observed that the documentations submitted to the Ministry were all found correct, thus permitting the Forestry Development Authority to proceed with the granting of a Forest Use Permit in the interest of the people of the above communities.

Hon. Wogbeh, we request that all field verification conducted by your institution must include County or Resident surveyors in consultation with the Ministry of Lands, Mines & Energy in order to avoid un-necessary delays.

Thanks for your kindness.

Sincerely,  
Yours truly,

Very truly yours,

  
Maxwell C. F. Oweh  
Deputy Assistant Minister/DLS&C



MAN

*[Handwritten mark]*



**Forestry Development Authority**  
**P.O. Box 10-3010**

Elise Saliby's Compound  
 Kappa House, Congo Town  
 Monrovia, Liberia

**MEMORANDUM**

**TO:**

Moses D. Wogbeh, Snr.  
*Managing Director*  
 Forestry Development Authority

**THROUGH:**

John D. Kantor, Snr. *[Signature]*  
 Technical Manager/R&D

&

Towon Nyenty *[Signature]*  
 Acting Manager/GIS & RS

**FROM:**

**SUBJECT:**

Verification of Jo-River District Deed and Deegba Clan Forest

**DATE:**

October 16, 2009

**Background**

In light of a communication under the signature of Mrs. Eliza D.J. Kronyanh, President and Chief Executive Officer, EJ & J Investment Logging Company requested authentication of a tribal deeds, diagrams and locations of the above properties located and lying in Grand Bassa County. A team of technicians from the FDA was dispatched to visit said properties for detail ground truthing, capturing of deed land marks and sign seeing of the area for management's reaction.

In light of the above, thematic maps were prepared for various localities using GIS desk studies and validation concluded by sending two surveyors and two Global Positioning System (GPS) operators, traveled to the land under consideration to conduct a joint ground truthing exercise of the area along with Messrs. Prince P. Mentoe and PA Jackson, company representatives and the tribal people.

*MDW*

*[Handwritten signature]*

### Field Patrol

During the period June 1-12, 2009, the joint team patrolled a significant portion of the area and gathered detail information relating to ongoing multiple uses of the area, types of vegetation, topology, and livelihood of the community dwellers within the parameters of the forest.

### Findings

Following an intensive tour by the team they observed and authenticated that:

- The area directly falls within Bour Tarr, Gono Tarr, Kayah, Gbarsaw, and Deegba Clans.
- The Deegba Clan forest is 105 kilometers away from the port of Buchanan and is highly assessable for the exportation of round logs.
- The Jo-River forest is 89 kilometers away from the port of Buchanan and is highly assessable for the exportation of round logs.
- Indeed both forests (Jo-River and Deegba) don't overlap with any Protected Area, Proposed Protected Area, Forest Management Contract or rectified Community Forests.
- Both forests (Jo-River and Deegba) are un-encumbered but indeed occupied by few miners
- Large portion of the area under investigation consists of primary forest while at least five percent is totally degraded.
- Technically, the description in the Metes & Bounds on all the deeds are correct
- Indeed it was observed on the grounds that the forest in Jo-River District is larger than what is stipulated in the deed.
- The forests area approximately ten (10) kilometers away from the boundaries of Liberia Tree & Trading Corporation and EJ & J Investment Corporation concessions in River Cess County
- The Jo-River District forest falls within LAC (Liberia Agriculture Company) concession.
- The forests are truly located in Whragba Clan, District # 3B and Gbartu area.

### Recommendation

In view of the verification and confirmation of documents for this area by the Forestry Development Authority, we herein recommend that:

- That the deed be forwarded to the Ministry of Lands, Mines & Surveys for authentication. After authenticating the and found legitimate, the FDA should perform the below activities:
- As per National Forestry Reform Law (NFRL) of 2006 provision in chapter five section 5.6, we therefore recommend that FDA Management issue a

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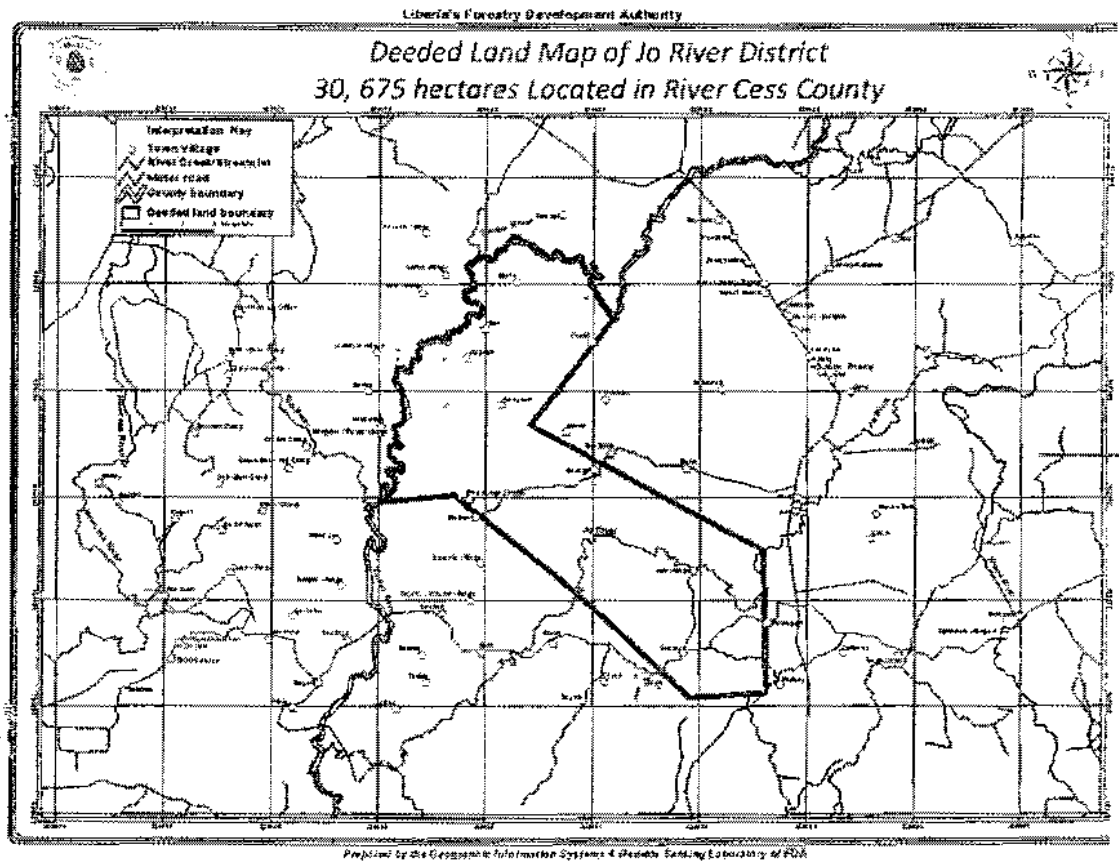
Private Use Permits totaling 35,500 hectares or 87,720.5 acres of the above districts in compliance with all relevant requirements of this section (particularly section 5.6 c ( i,ii,iii) and d (i,ii,iii,iv,v,vi) respectively.

- Forestry Development Authority requests the companies representing the communities to demarcate their deeded land property boundary lines to avoid possible trespass cases.

### Technical Description of Jo-River Forest Land & Map

The boundary line of Jo-River Forest commences at the Town of Porwoh; thence a line runs ~~due~~ North for 6,754 meters to a point; thence a line runs N 61° W for 17,028 meters to a point; thence a line runs N 38° E for 8,592 meters to the point on the Timbo River which forms the boundary between River Cess and Grand Bassa Counties; thence a line runs ~~along~~ along the Timbo River in the southern direction for 40,016 meters to a point; thence a line runs N 84° E for 4,792 meters to a point; thence a line runs S'49° E for 20,073 meters to a point; thence a line runs N 86° E for 5,106 meters to the point of COMMENCEMENT, embracing 30,765 hectares of forest land and NO MORE.

Map of Jo-River Forestland

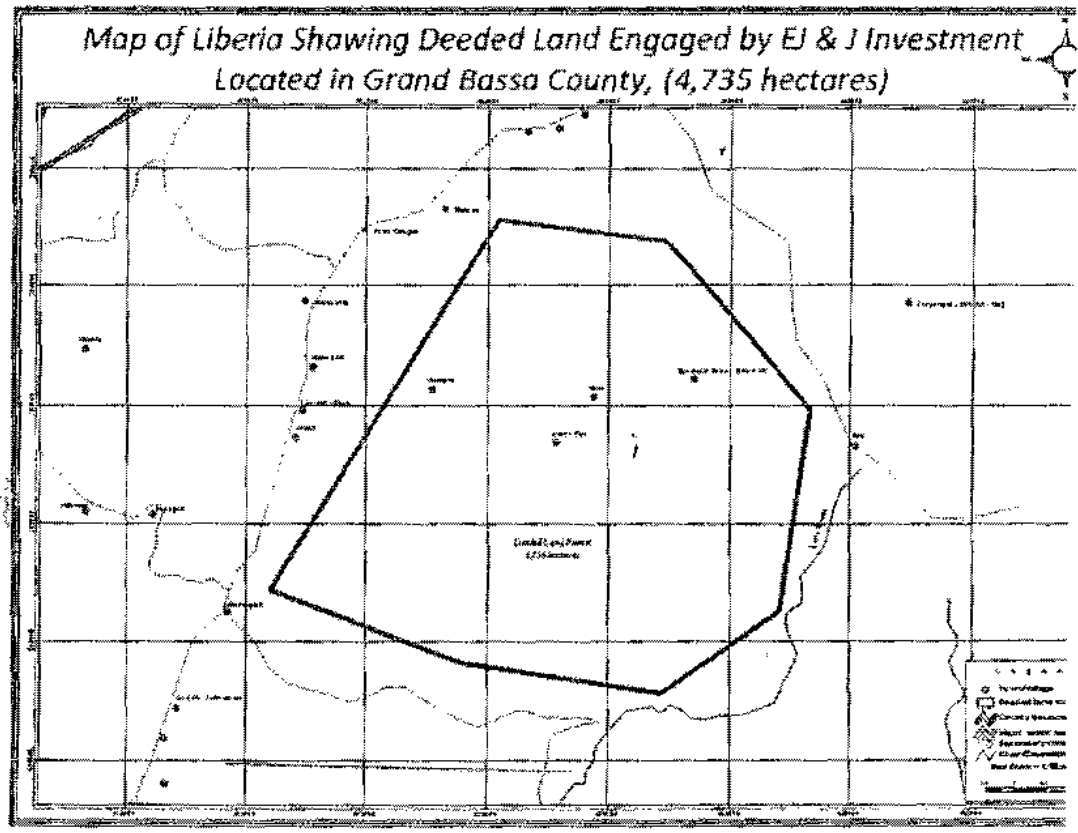


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### Technical Description of Deegba Forest Land & Map

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#### Map of Deegba Clan, District #3 Forestland



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