

DEPARTMENT OF THE NAVY
LICENSE
FOR
CONSTRUCTION

Marjeh Agriculture Processing Facility
Site Name

41RPQ 0550 8750 Marjeh, Helmand Province
Grid reference or Property Identifier

The GOVERNMENT OF THE ISLAMIC REPUBLIC OF AFGHANISTAN (hereafter "HOST NATION") grants to the UNITED STATES OF AMERICA (hereafter "UNITED STATES") an irrevocable right to enter upon the lands hereinafter described and consents to officer, employees, and authorized representative (including contractors) of the United States Marine Corps entering and having continued access to said property at any time within (INDEFINITE) days from the date of this instrument in order to build the facility and erect security walls upon the following terms and conditions:

1. This license includes the right of entry and egress upon the specified areas of the HOST NATION; such entries are necessary in connection with the activities being conducted under the License and are not otherwise conveniently available to the UNITED STATES.
2. All tools, equipment and other property taken upon the land by the UNITED STATES shall remain the property of the UNITED STATES and may be removed by the UNITED STATES at any time within a reasonable period after expiration of this License, unless and until such property is designated for transfer to the HOST NATION.
3. The UNITED STATES shall have the right to maintain site security over the lands hereinafter described to protect all tools, equipment and other property taken upon and placed on such lands during the period of this License and until the UNITED STATES removes its property.
4. The HOST NATION warrants that it is rightful and legal owner of the herein described premises and has the legal right to enter into this License. If the title of the HOST NATION shall fail, or it be discovered that the HOST NATION did not have the authority to issue this License the UNITED STATES shall have the option to terminate this Right-of-Entry and the HOST NATION agrees to indemnify the UNITED STATES by reason of such failure. Nothing contained in this agreement may be considered as implying that Congress will at a later date appropriate funds to remedy any latent deficiencies.
5. No notice, order, direction, determination, requirement, consent or approval under this License shall be of any effect unless it is in writing. Notice will be deemed given and received: (i) if hand delivered to a party at the location specified below, against receipted copy, or (ii) if by e-mail or facsimile transmission, to a specified e-mail or fax number below, with acknowledgment of receipt.
 - a. Written communications to the UNITED STATES shall be delivered by hand or electronic transmissions such as e-mail or facsimile transmission:
 - b. Written communications to the HOST NATION shall be delivered by hand or electronic transmissions such as e-mail or facsimile transmission:
6. It is understood and agreed that the UNITED STATES does not acquire title or any other interest in said land by means of this grant of permission and consent to enter the subject land of the HOST NATION during the term of this License, or any renewal thereof.

7. This written permission is given by the undersigned voluntarily, without coercion and without promises of any kind not herein provided for.

8. The land affected by this License is located in grid 41 R PQ 0550 8750 Marjeh, Helmand Province, Afghanistan, the Government of the Islamic Republic of Afghanistan.


9. At the expiration or earlier termination or revocation of this License, the UNITED STATES will vacate the land affected by this License; remove any of its property therefrom, and perform a joint close-out inspection of said land with the HOST NATION. After performing the joint inspection, the parties will sign a release evidencing the termination of the License. The UNITED STATES will not be responsible for any restoration of said land arising from or related to the occupancy, use, or alteration of said land.

10. Upon completion of the construction of this facility and termination of this License, this government land will be used by a privately owned farmer's cooperative.

WITNESS MY HAND AND SEAL, this 24 day of DEC 2010.

GOVERNMENT OF THE ISLAMIC REPUBLIC OF AFGHANISTAN

F. FRIORUSSOV



THE UNITED STATES OF AMERICA

