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Land consolidation to improve land rights

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Legal process

Legal protection of owners:

- List of rightful claimants (inventory of properties)
- Re-allotment plan
- List of financial arrangements



Public inspection and Process of objections →
Provincial Government – Court – Supreme Court)

List of rightful claimants

- Owners
- Burdens, servitudes
- Mortgages
- Long leases
- Tenants with short leases is *not* registered in Netherlands' Kadaster

All in cadastral registration

List of rightful claimants

- Determine **who** has a right for allocation of land (entitled land owners), based on register Dutch Cadastre
- List gives owners right to receive land of **same type, quality and acreage** as he/she brought in



What if...?

Land administration is incomplete, contains flaws

Unknown rights:

- Who are legal heirs?
- Owners are living abroad
- Historical use rights



Steps to registration

1. Consistency check for existing administrative and geometric data from land registry and Cadaster
2. Comparing the legal data with the factual land use in the field
3. A check on completeness (check if all existing titles are known)
4. Agreement between land owners and land users (and the notary)

Land banking Netherlands

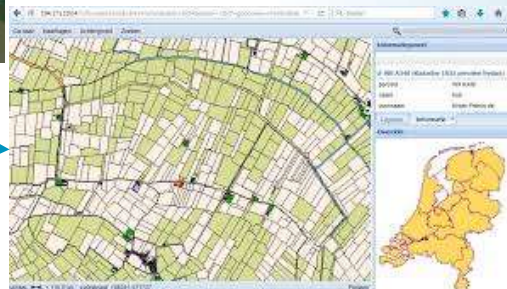
- State owned land: revolving to start the puzzle
- Owners' land that is sold to land bank
- Parcels of un-known owners
- Parcels of absent owners

> Allocation right<

Allocation right



Parcel into land bank:
- type,
- quality,
- acreage



Allocation right
- Type
- Quality
- Acreage

Or

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LC can be used to check/improve/register rights?

- a) List of rightful claimants
- b) Public inspection
- c) Right to appeal
- d) Allocation right
- e) Increase social support

Discussion

1. Deed is cleansing all legal rights en restrictions (both Cadastral map and Registration)
2. Role of notary is to check the new titles (not the allocation of rights)

Questions

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