The SDGs and the German Real Estate Cadastre

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- German Real Estate Cadastre in General
- Legal aspects
- Public-Law-Restrictions ./ Private-Law-Restrictions
- Selected examples how cadastral data may help to achieve the SDGs
- Land readjustment procedures
German Cadastre in General

- 16 Länder
  - 16 different cadastral laws
  - 16 cadastral authorities

- Working Committee of the Surveying Authorities of the Laender of the Federal Republic of Germany (AdV)
  - recommends Germanwide standards
Cadastre contents (as part of AAA – ALKIS)

- Cadastral Parcels (including precise coordinates)
- Buildings
- Owner Information (copy from land register)
- Public-Law Restrictions
- “Actual Use” (Tatsächliche Nutzung, Mix of LC / LU)
- “Appraisal of Soil” (Bodenschätzung)
Daily data exchange: analogue / digital

Cadastral map takes part of the public faith of the land register

- Very high legal certainty

Land register

Cadastre

Legal aspects

Cadastral map takes part of the public faith of the land register

- Very high legal certainty

http://de.coolclips.com/m/vektoren/vc016370/Richter-in-einem-Gericht/#
- **ALKIS-core-data** („germanwide must haves“)
  - redevelopment zones
  - land reallocation (Flurbereinigung, Umlegung)
  - water law classification
  - road law classification

- **Laender-specific data** („germanwide may haves“)
  - natural reserve, nature protection area
  - monument protection
  - military zones
  - water protection area
  - FFH – area
  - contaminated area
  - public easement
  - forest law classification
Mortgages and other Private-Law-Restrictions

- content of land registry
- land registry is separated from cadastre
- no possibility to overlap
Basis for property valuation

https://www.saarland.de/87389.htm

GUTACHTEN

über den Verkehrswert des bebauten Grundstücks
Lebach, Gemarkung X-Weiler, Flur 13, Flurstücke 12/1, 12/2, 265/12

Der Gutachterausschuss hat in seiner Beratung am 16.06.2015
den Verkehrswert für das o.g. bebaute Grundstück mit

rd. 248,000,- €
ermittelt.

Der Vorsitzende

http://geoportal.saarland.de/mapbender/frames/index_ext.php?gui_id=Template_GDZ&WMC=3019
- reducing the new use of land for settlements and transport to less than 30 hectares per day by 2030

- monitoring of land consumption based on cadastral data „Actual use“ (Tatsächliche Nutzung)

Erosion hazard classification...

... based on:

- Appraisal of soil (Bodenschätzung part of cadaster)
- Slope inclination from DTM

https://geoportal.saarland.de
Urban land readjustment procedures

„Umlegung“ according to Art 45 – 84 German Building Code

Cadastral parcels before the Umlegung

Cadastral parcels after the Umlegung as of today
Rural land reallocation procedures „Flurbereinigung“, according to the Land Consolidation Act

The image shows a map of a rural area with various land plots. The map is a visual representation of the process of land consolidation in Germany, known as „Flurbereinigung“. The link provided is to the Wikipedia page on Flurbereinigung in Germany, which can be accessed here: [https://de.wikipedia.org/wiki/Flurbereinigung_(Deutschland)](https://de.wikipedia.org/wiki/Flurbereinigung_(Deutschland))
Rural land readjustment procedures „Flurbereinigung“, example Autobahn A8, Perl

Old and new cadastral parcels
Land readjustment procedures - summary

- Legally based land readjustment procedures Umlegung and Flurbereinigung are no expropriation

- Principle of surrogation: The location of the land may change, the right of ownership remains!

- After the land readjustment procedure (Umlegungsplan / Flurbereinigungsplan) becomes legally binding, the land register and the cadastre become incorrect

- The Umlegungsplan / Flurbereinigungsplan is a substitute for land register and cadaster until both are corrected

- All measures are subject to judicial review
Summary

Cadastral data is...

- highly reliable
- basis for SDG-related-topics

Cadastre based land readjustment procedures are...

- a powerful tool to solve land use conflicts
- very helpful to achieve some SDGs

Having a further look:

- there are much more links between cadaster and the SDGs
- Cadastre has an impact on at least 14 / 17 SDGs
Danke

Tänan

Merci

Tack

Grazie

Děkuji vám

Đăkujem vám

Thank you

Ačiū

Cař олун

Obrigado

Hvala

Dziękuję

Dank u

Paldies

Σαγ ολυμ

Köszönöm

Διεκαριστο

Mulţumesc

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- https://sdgs.un.org/goals
- https://geoportal.saarland.de

- Baugesetzbuch
- Flurbereinigungsgesetz
- Public-Law Restrictions in German Cadastre, Marcus Wandinger, Björn Degel, EuroGeographics C&LR KEN, Nov 11, 2015, Brussels
- Reliability aspects of the German Cadastre, Björn Degel, Joint Conference of PCC and EuroGeographics, 21 Nov 2018, Vienna