

# Basic Aspects of Sale and Subdivision of Land

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# Motivation

- We have detailed descriptions of cadastral processes.
- We have a method for description: UML
- We have comparisons of different processes (Mattson, Sumrada, Vaskovich)
- **Problem:** Results vary when changing the level of detail

# Questions

- Is it possible to break the processes into small pieces?
- What are these small pieces?
- Does it help if we compare these pieces?

# Overview

- Motivation + Questions
- Requirements for the basic aspects
- Basic aspects of a sale
- Basic aspects of a subdivision
- Sale in different countries
- Subdivision in different countries
- Discussion

# Requirements for Basic Aspects

- Must be orthogonal (no dependencies)
- Must be simple
- Must describe the whole problem

# Basic Aspects of a Sale

To sell land we need

- Concept of **ownership**
- Change of ownership must be provable → **documentation**
- Change must be known → **publication**
- **Tests** may be necessary
- **Risks** for the actors may be eliminated

Does this describe the process?

# Basic Aspects of a Subdivision

- Definition of a **boundary**
- **Documentation** of a boundary
- **Publication** of a boundary
- **Checks** on legality
  
- Are there any risks?

# Sale in Austria

- **Ownership:** Competence to rule substance and use and to exclude anybody else
- **Documentation:** Creation of a document (by seller/buyer or notary)
- **Publication:** public register, compulsory registration
- **Tests:** Notary (persons), land register (prerequisites – e.g. correct seller), financial authority (tax)
- **Risks:** Notary (trusted person), rank certificate, compulsory registration

# Sale in Greece

- **Ownership:** ?
- **Documentation:** Creation of a document (by notary)
- **Publication:** registration in cadastral DB (public, compulsory?) or at mortgage office
- **Tests:** Lawyer (property rights, encumbrances), land register (prerequisites – e.g. correct seller), financial authority, municipality, land register
- **Risks:** Lawyer(s), notary (trusted person)

# Subdivision in Austria

- **Definition:** Mathematically unique, based on points, defined by owners
- **Documentation:** Map document, coordinates of boundary points
- **Publication:** Cadastral map + coordinates
- **Tests:** Surveyor (technically), cadastral authority (formal specifications)

# Subdivision in England/Wales

- **Definition:** Any definition possible (?), defined by owners
- **Documentation:** Lines on a deed, markers in the field
- **Publication:** Markers in the field
- **Tests:** ?

# Discussion

- These aspects allow further simplification
- It is possible to tell how the different aspects are dealt with

## Questions:

- Are these aspects sufficient to explain the processes?
- Is it easier to compare the aspects?
- Are the aspects really orthogonal?