PROBLEMS OF NEW OVERLAYS APPEAR AND WAYS TO PREVENT THEM

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Problem statement.

Since January 1, 2013 in Ukraine was opened the access to national cadastral system (NCS). National cadastral system – this is database, which contains the most recent cartographic information about whole territory of Ukraine and connected with it information about lands and land parcels. Except that it is also the infrastructure, that cover the whole territory of the country and allows continuously fill the base with new information. However, there is significant problems with overlaying land parcels then we transferring obsolete cadastral information. Nevertheless, then NCS began to work the overlying still emerging [2].

Problem statement.

Analyze technical documents and land management projects on land allocation, to identify possible causes overlap and propose solutions.

The main material.

From January 1, 2013 came into force a number of innovations to the Act of Ukraine "Concerning the State Land Cadastre". According to this Law the territorial bodies of land resources will be made:

- State registration of land parcels;
- providing extracts of land parcel from the State Land Cadastre;
- provide information about objects of the State Land Cadastre (lands within the state border of Ukraine, lands within the territory of the administrative territorial units, restrictions in land use).

Now people can easier register property rights – because the notary can do it in a day. However, this operation is only possible if land parcel have the cadastral number.

Land parcel cadastral number – is individual numeric code (number), which do not repeat all over Ukraine, assigned to land parcel with the aim of identifying and keep at it during all time of existence [1, 3].

If land parcel do not have cadastral number this means that it is not included in the State Land Cadastre.

Land parcel that does not have cadastral number impossible to:

– sale;
– present;
– inherit;
– bond;
– divide or merge;
– rent out;
– deposit in authorized fund of an enterprise.

One of the problems that often arise during land privatization is overlaying boundaries neighboring areas. Citizens privatizing their land parcels, according to the documents can extend their borders at the expense of their neighbors - sometimes even at the expense of the territory on which stands the house. Whereas the actual area border do not change. Anyway, so difficult problem must solve at least one of the participants in a land deal and neighbors – owners neighboring parcels. That can cause a number re-issue of documents. If mistake is technical – can be given a written request, because state authorities could allowed errors during transferring cadastral data from paper to digital form, but the problems of mismatch boundaries will solve only the court. This all can cause people to mass appeal to the courts and judicial disputes will increase.

The above it can be conclude that the absence of cadastral number significantly increases the risk loss the ownership rights of land parcel or contentious case. Despite all the existing overlays, the solution of which working professionals, daily there are all new. What can this caused?

The cadastral number can assignation the State cadastral registrars, which works in regional departments of land resources. State cadastral registrars local agency of State Land Agency in districts, in cities the Republican (Crimea) and regional significance make or give the reject including to the the State Land Cadastre information (or changes) about lands and land parcels, which are located in districts, in cities the Republican (Crimea) and regional significance. They also make State registration of parcels, restrictions on their using;

disaffirm registration, forming the land records, assignation the cadastral numbers [2].

When exchange file XML received registrar check it for overlays, overlaying it on the Public cadastral map and subsequently conducted state registration of land parcel. However, the registrar cannot know the correctness of land parcel coordinates, that parcel is not displacement, because on the Public cadastral map not specified addresses of parcels which are not privatized and from layout land parcel that is copy of the index-cadastral map can not clearly identify its borders (Fig.1).

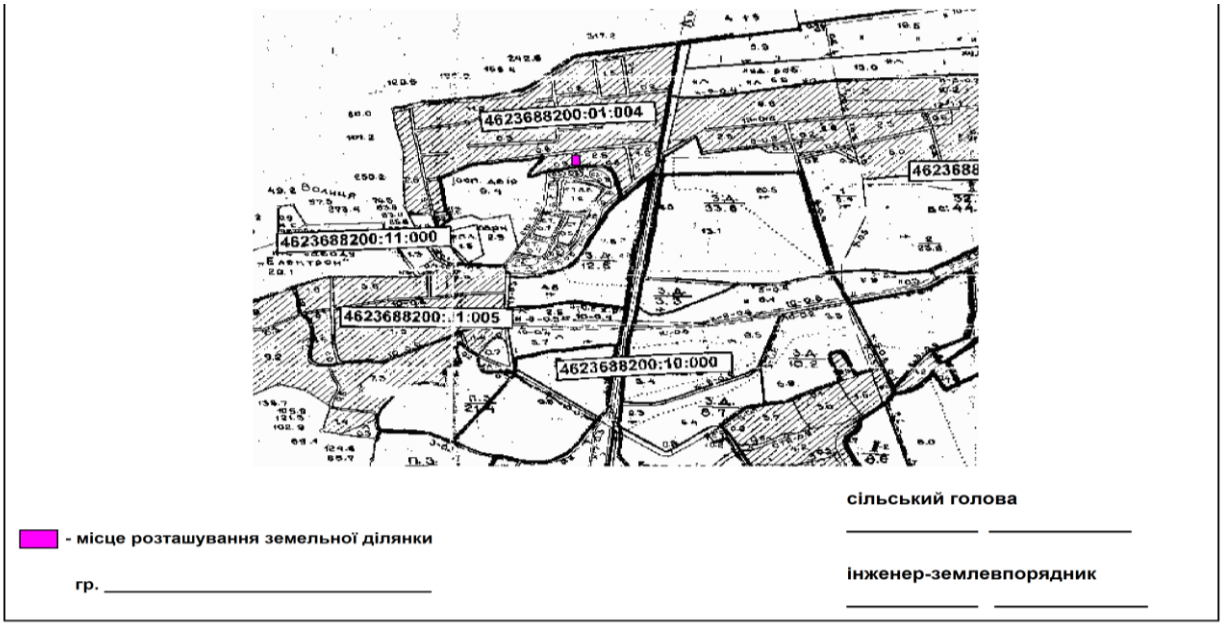

Fig. 1. The layout of land parcel

In order to avoid any overlays, analyzed a number of technical documents from state and private institutions, and we proposed to show on the location scheme of parcels not only index-cadastral image with cadastral areas, codes and neighborhoods, but also use orthophotomaps (Fig 2).

Fig. 2. The proposed layout of land parcel

Such operation will allow registrars to clearly identify the parcel location and correctly attach it to the National cadastral system. In addition, it is necessary to certify with signature of the owner (user) the correctness land parcel.

Conclusions.

After transferring old cadastral data in to electronic form appeared plenty of overlays, which must be correct. For doing this correction, needed many specialists. However, besides corrections old overlaying appearing new. In order to prevent their occurrence we improved the layout of parcels by which registrars can easier identify areas whose coordinates are not correct, thus preventing new overlays.

References

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Problems of new overlays appear and ways to prevent them

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Analysis the technical documentation and land management projects for land parcels allocation and the ways of preventing new overlays.