

Cadastral procedures in Sweden



Sweden's greatest economic asset is real property

All land in Sweden is subdivided into real property units. Lantmäteriet is responsible for ensuring an efficient and legally secure real property subdivision and for maintaining a register containing information about real property, such as ownership and mortgages. Lantmäteriet's Real Property Register contains approximately 3.2 million objects, which, together, form Sweden's greatest economic asset. The management of the system by Lantmäteriet is a guarantee for rapid and

easy purchase, sale and mortgaging of real property.

A division into real property units can be changed through a cadastral procedure. This can involve creating or changing properties and rights – such as clarifying where boundaries are. Should an owner of several properties need to establish co-operation regarding joint needs, this can also be done through a cadastral procedure.

Appropriate properties are created through a cadastral procedure

Lantmäteriet creates appropriate and durable properties. This can involve new boundaries as well as ensuring connections to roads and to water and sewerage networks.



Some examples of standard cadastral procedures

Subdivision

- An area is separated from a real property to create a new, independent real property. The new real property will have its own designation.
- The new real property's layout and size will be adapted to its intended use.
- In most cases, the real property can be made free from mortgages. This means that the real property will not be encumbered by mortgage taken on the original real property.
- Application for registration of ownership is made to Lantmäteriet's Land Title Division.



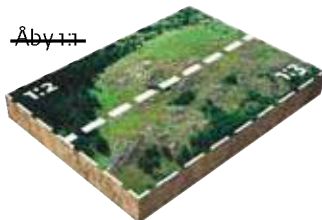
Reallotment

- An area is transferred from one real property to another. This can involve a whole real property or part of a real property.
- A new easement is created, changed or cancelled.
- A joint property is created, changed or removed.
- Fixtures are transferred from one real property to another. A real property's fixture can, for example, be a building or a jetty.



Amalgamation

- Two or several properties that have the same ownership conditions – the same owner – are combined to form one new real property, which is given a new designation.



Partitioning

- A jointly owned real property is divided in conformity with the ownership. The new real properties receive new designations.

Real property definition

- Uncertainties concerning details of a subdivision can be clarified. This often applies to the location of boundaries.
- Whether an easement or a utilities easement is valid and, if so, its scope can be determined.
- Whether buildings or other structures belong to a specific real property can be determined.
- The scope of a joint facility can be determined.

Joint facility

- When several real property owners wish to jointly build or use a facility, a joint facility can be created. A joint facility can be a road, a sewerage system, a broadband network or a jetty.
- The construction, management and maintenance charges are regulated between the real properties through a participatory share. Note that it is the real properties and not the real property owners personally that are attached.
- Management is carried out through a part-owner management committee - which requires that part-owners are in agreement – or through a joint property association.

How is a cadastral procedure carried out?

You should contact Lantmäteriet to discuss how your request can be carried out in the best possible way. You will receive information about the documentation that will be required and the contacts that you will have to make. You will be asked to participate in the procedure in different ways, for example by presenting certain documents and assisting with information.

The cadastral surveyor who carries out the cadastral procedure is an impartial investigator and decision-maker who will do the utmost to help parties come to

a mutual agreement. In some cases, however, it may be necessary to take decisions without parties having reached an agreement. Real property owners, buyers, rights holders and other persons involved in a cadastral procedure are referred to as interested parties. The interested parties, the local building committee and, in some cases, the county administrative board have the right to appeal against a decision in a court of law. The cadastral procedure includes legal, technical and economic measures.

This is what the process looks like



A cadastral procedure begins when a written application is submitted to Lantmäteriet. The cadastral surveyor discusses the implications of the application including price and delivery times with the applicant.

The applicant's and other interested parties' rights are checked. The size and type of the involved real properties, easements and other rights and joint properties are investigated. Existing approved land use plans and other regulations affecting the use of land are also checked. If there are mortgages that affect the involved real properties, it may be necessary to take measures.

The cadastral surveyor decides whether the cadastral procedure can be carried out in consultation with the local building committee, the county administrative board and other involved authorities. It may be necessary to inspect the area to demarcate and survey new boundaries.

Sometimes it may be necessary for the cadastral surveyor and the involved parties to meet before a decision is taken. The cadastral surveyor makes the decision regarding changes to the subdivision into properties. The decision is documented on a map and in documents, copies of which are sent to the involved parties.

There is an interval of four weeks before the result of the procedure gains legal force. If a party is dissatisfied with the decision, it is possible to appeal against it in a court of law.

When the procedure has gained legal force, the results are registered in the Real Property Register. The complete documentation including minutes map and descriptions are sent to the appointed interested parties. The cadastral dossier is placed in Lantmäteriet's archives.

A cadastral procedure is a legally secure procedure in which all parties have an opportunity to participate.

How much does it cost?

The cost of a cadastral procedure depends on the time that it takes and is paid by the interested parties. Different procedures require varying amounts of work depending on the type of real properties involved, such as whether there are joint property units, unclear boundaries and encumbering rights and whether loans have been taken with the real property as collateral. The cost of survey work, meetings and consultations with other authorities will also affect the cost of a procedure. When your application has been examined the cadastral surveyor may offer to do the work for a fixed price.

How long will it take?

You can discuss the timetable with the cadastral surveyor. Who will tell you how you could contribute to carrying out the work in an effective way.

Would you like more information?

You can always contact us at Lantmäteriet! We have offices throughout Sweden and will willingly help you. Telephone: +46 (0)771 - 63 63 63 www.lantmateriet.se

Glossary

Real property: All land in Sweden is subdivided into real property units. A real property has either horizontal or horizontal and vertical boundaries. Buildings, forest, water and more can belong to a real property. All real properties have a unique designation such as Berga 1:8 i Lyckeby local authority.

Real Property Register is the official register that contains information about real property in Sweden. The Real Property Register is made up of five parts; a general part, an address, a part building part, a tax assessment and a registration of ownership part. Lantmäteriet holds the register.

Lantmäteriet (Land Registration Division) handles transactions concerning registration of ownership, mortgages and other registration transactions as well as note transactions.

Lantmäteriet (local cadastral offices) carry out cadastral procedures. In addition to the central government authority there are a number of local government land survey and cadastral organisations. To find the nearest office go to www.lantmateriet.se

Cadastral procedure comprises all work that is carried out when a real property is to be formed, changed or when there is a need for co-operation regarding common interests. A cadastral procedure begins with an application to Lantmäteriet.

Registration of ownership: When you purchase a real property you must apply for registration of your ownership. You must apply for registration within three months from the date of acquisition.

Joint property unit: Land, private waters or fishing that belong to two or several real properties together, for example jointly owned forest land, roads and gravel pits.

Joint property association: An association that manages a joint facility or joint property unit. A joint property association is a judicial person and the part-owning real properties are members of the association.

Easement: Entails rights for a real property to use another real property in a specific way. Such a right can be, for example, an exit road, private pipes and access to a well. There are two types of easements: agreement-based easement (an agreement is made) and official easement (a decision has been made by an authority).

Special boundary demarcation: Existing real property boundaries are located and demarcated on the ground with new boundary marks. A pre-condition is that the location of the boundary has been legally approved. In other cases it is the property definition that applies.

LANTMÄTERIET

