

SPECIFICS OF CADASTRAL EXAMINATION

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Abstract: now the state cadastral registration of the parcels of land represents the main function of the state land cadaster consisting in the description and individualization of the parcels of land in the Unified state register of lands therefore each parcel of land receives such characteristics which allow to allocate unambiguously it from other parcels of land and to perform its high-quality and economic estimates. In article stages of conducting cadastral examination are considered, approaches of conducting the state cadastral registration, and system of the state land cadasters are provided.

Keywords: cadastral examination, land cadaster, state cadastral registration.

СПЕЦИФИКА КАДАСТРОВОЙ ЭКСПЕРТИЗЫ

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Аннотация: в настоящее время государственный кадастровый учет земельных участков представляет собой основную функцию государственного земельного кадастра, заключающуюся в описании и индивидуализации земельных участков в Едином государственном реестре земель, в результате чего каждый земельный участок получает такие характеристики, которые позволяют однозначно выделить его из других земельных участков и осуществить его качественную и экономическую оценки. В статье рассмотрены этапы проведения кадастровой экспертизы, представлены подходы ведения государственного кадастрового учета, и системы государственного земельного кадастра.

Ключевые слова: кадастровая экспертиза, земельный кадастр, государственный кадастровый учет.

Relevance of a subject of a research is caused by value of the state land cadaster as information resource which data are used during the carrying out the state cadastral assessment of lands, transactions with the parcels of land, in case of implementation of the public and municipal authority land resources and for the solution of other tasks. At the same time the state cadastral registration is the main tool of the description of the parcel of land as object of the right and taxation.

In scientific literature it is noted that accounting of lands is a component of the state land cadasters which reflects an economic and natural condition of lands, accumulates and provides the information on their quantity and quality.

The parcel of land is the part of the Earth's surface having accurately designated border, the area, location, legal status and other characteristics considered in the state land cadaster and in the Unified State Register of Rights on real estate and transactions with it [1, p. 52].

The description of the parcel of land is made on the system of indicators including: a) The name of the subject of the land right – legal entity or physical person with indication of the exact address, documents certifying the person and financial details. b) Address reference points – the area (the residential massif, the industrial zone), the settlement, the street, house number and structures (in the cities and settlements). c) The documents establishing and certifying the land use right (the resolution, the decision, the order, the state act, the certificate, the lease contract). d) Category of lands, purpose and actual use. e) Code of the qualifier of lands. f) The area according to the documents certifying (establishing) the right to the site, actual including foreign use (depth, width, a form). g) The area of the sanitary protection zone and (or) zone with a specific mode of use within the parcel of land. h) Type of the land right (property – private, state). i) Superficial and subsoil layer, landscape, contour and topography. j) Improvements and engineering arrangement (supply of the electric power, water).

In relation to real estate objects methods of land management solve the following problems: a) development of programs of use and protection of lands on the basis of town-planning, ecological and economic characteristics of the territory [2, p. 128-130]; b) forming of the parcels of land on single state system and their technical registration; c) project development of creation and streamlining land use with elimination of various inconveniences; d)

establishment of borders of the parcels of land, withdrawal of the parcels of land in nature, creation of documents for registration of the rights to the parcels of land; e) fixing and change on the area of line of the cities, settlements and rural settlements; f) carrying out inventory count with identification not used, irrationally used and used not for purpose of lands [3, p. 27]; g) accomplishment of land and estimative works.

System of a land cadaster, working together with system of the state registration of the rights to the parcels of land and the related improvements, provides: a) owners – guarantees of the rights to property; b) system of the taxation – urgent data on the taxation objects; c) the real estate market – open and reliable information about the parcels of land and the related improvements; d) system of bodies of the public and municipal authority – information for forming and carrying out state policy in the sphere of the earth and the real estate, and also planning and development of the territories.

During a transition period to market economy the separate value assessment actually of the parcel of land becomes especially necessary as this methodical approach to assessment of real estate objects allows with rather smaller costs of means and time: a) to promote process of market pricing; b) to provide return of budgetary funds of municipalities for the improvement performed by them and public improvements in shorter terms; c) to objectively assess the actual damage, a lost profit and other compensation payments in cases, stipulated by the legislation; d) to establish concerned parties negotiated prices, including the rent, the amount of mortgage lending.

Enhancement of approaches to conducting the state cadastral registration, and system of the state land cadaster in general, leads to increase in a social and investment potential. The state accounting of the earth as national wealth promotes providing guarantees of the rights to the parcels of land, development of system of the taxation of the earth and other real estate. The questions connected with implementation of functions of the state land cadaster are included in the sphere of the land legislation.

Activities for conducting the state cadastral registration have a public focus owing to value of a land cadaster as the state information resource concentrating data on all parcels of land in the territory of the Russian Federation. The state cadastral registration, first, is aimed at information support of functions of the public and municipal authority by land resources, including the payments for the earth, fiscal on collection, which are traditionally determining value of land and cadastral activities. In this respect the individualizing signs of the parcel of land shall allow to establish it, first of all, as the taxation object, therefore to admit the fact of existence of the parcel of land regardless of extent of identification of its borders of a part of the area. Besides, the parcel of land for the purposes of maintaining the state land cadaster is determined not only as a part of the limited Earth's surface, on and as all that is over and under this surface if other doesn't follow from federal laws. The last provides reference to characteristics of the parcel of land availability firmly of the related real estate units that in turn, is caused by the principle of unity of destiny of the parcels of land and firmly related objects. Secondly, by means of the state cadastral registration of the parcels of land it is information the system of the state registration of the rights to real estate and transactions with it, and equally in other state information resources containing data on the parcels of land is provided. The efficiency of land turnover which is a basis for successful development of the land market depends on the timely, reliable and complete cadastral information on the parcels of land and dynamics of their changes. In this aspect the state land cadasters acts as a source and system of fixed storage of such data.

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