

FIG

FIG WORKING WEEK 2017

Helsinki Finland

29 May - 2 June 2017

Presented at the FIG Working Week 2017,
May 29 - June 2, 2017 in Helsinki, Finland

3D real property formation in Sweden

1 June 2017

Paper nr 8991,
Alexandra Höglblom Moisiö

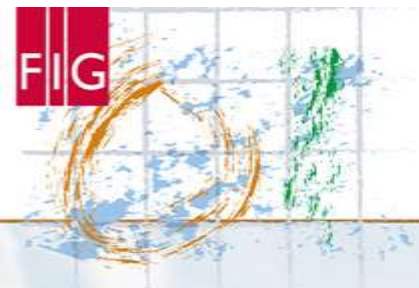
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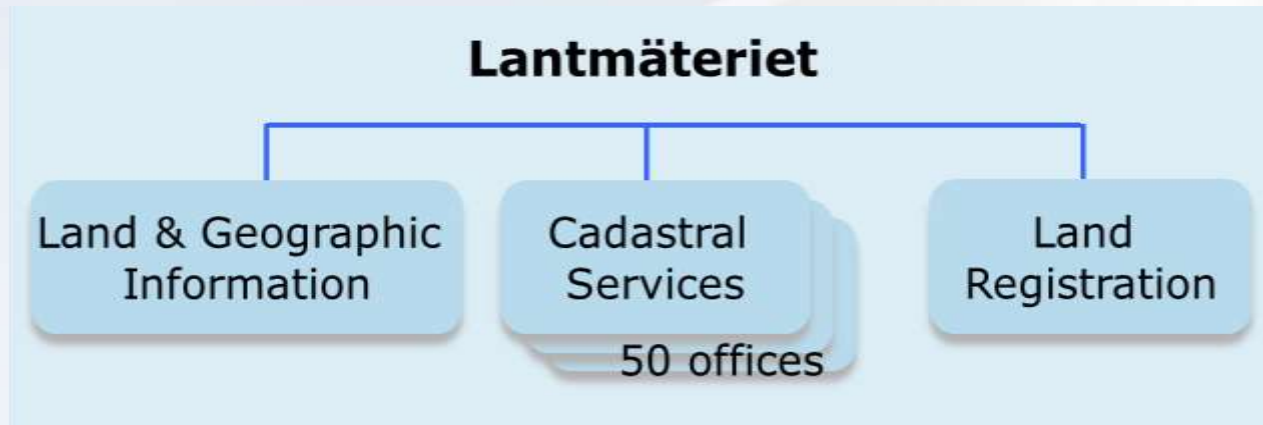


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Key players in Swedish land management



Private sector
(GIS, valuation etc.)

39 Municipal
Cadastral Authorities

Public sector
(planning, acquisition etc.)

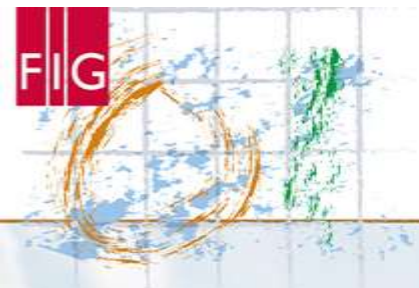


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Definition of Real Property



The building on the
real property unit
Gävle Viken 10:2

- A real property unit consists of one or several areas, often marked off on the ground
- 3D real property formation was introduced 1 January 2004, ownership flats 1 May 2009
- A property unit may include buildings, fences, trees, water areas etc.
- Technical infrastructure is not by itself considered as real property (roads, water and sewage systems, electrical power lines etc.)



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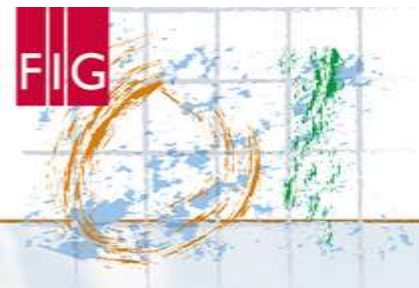


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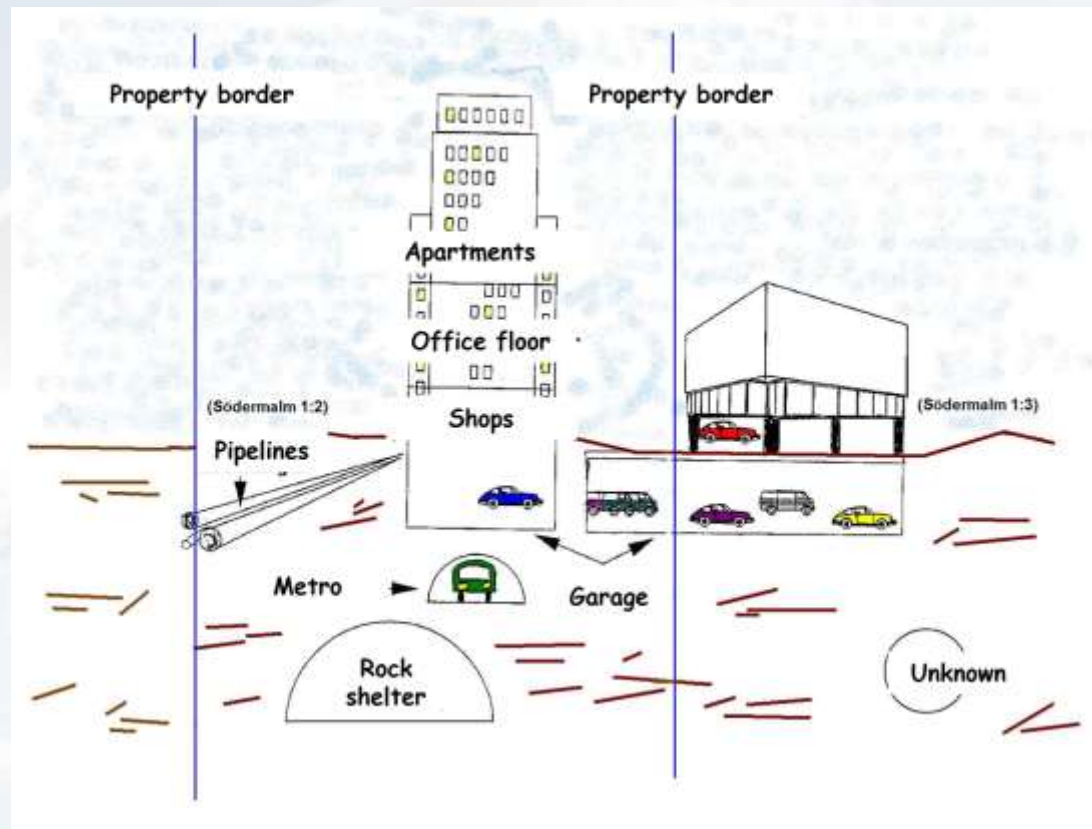
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What is a property? What is a 3D property?

According to the Land Code "solid property is land and it is divided in to real properties"

A 3D real property is a real property surrounded by borders both vertically and horizontally. It is one **closed** volume.

It is possible to join a 3D area to a regular 2D real property.



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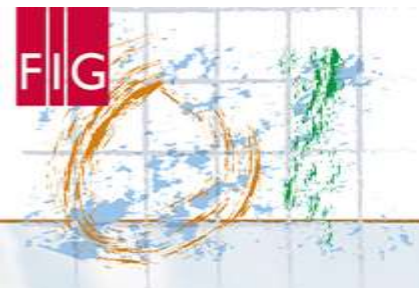


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Different kinds of 3D properties

- Traditional property unit with 3D parcel
- 3D property unit
- Condominium



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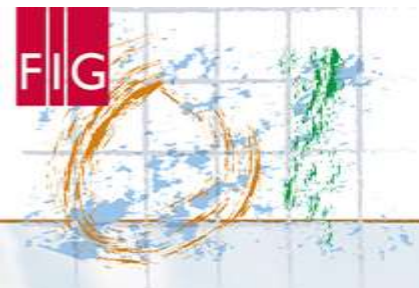


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Example of a 3D property

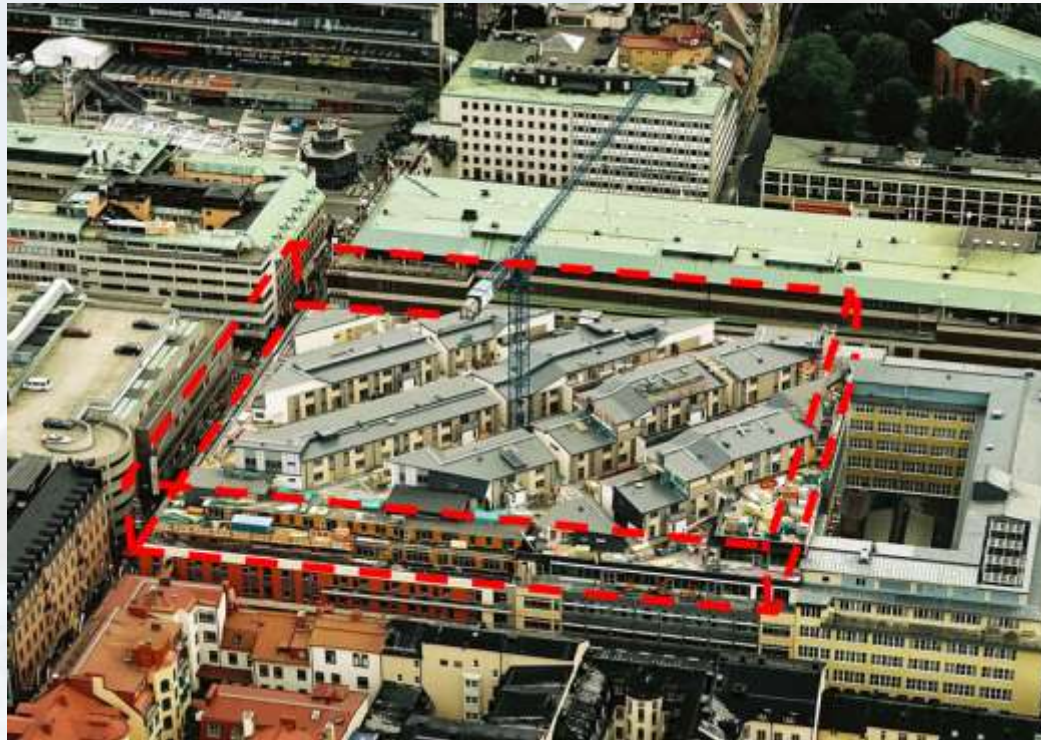


Foto: Lennart Johansson InfoBild



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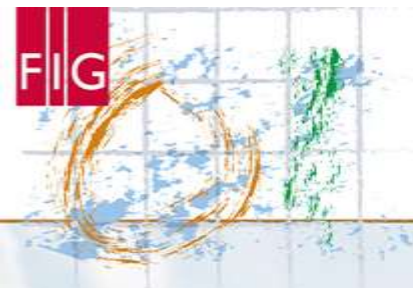


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Traditional property unit with 3D parcel

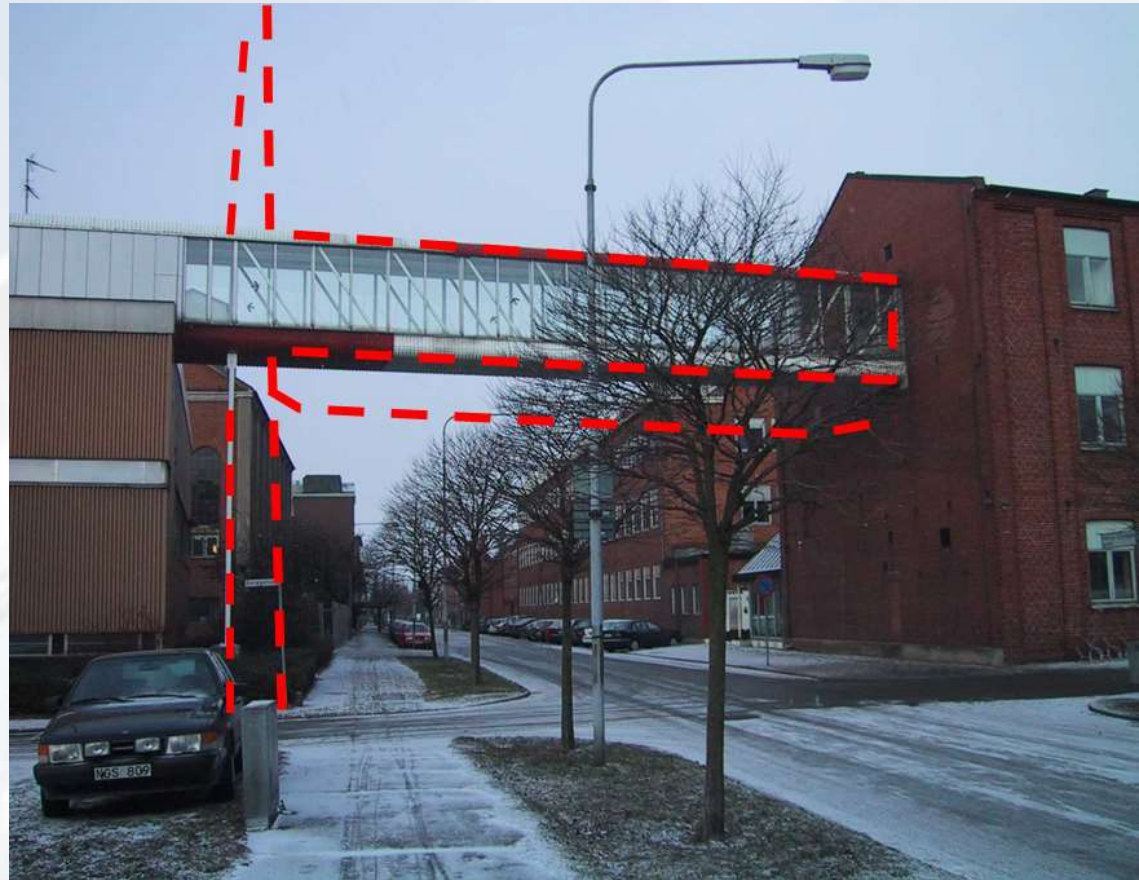


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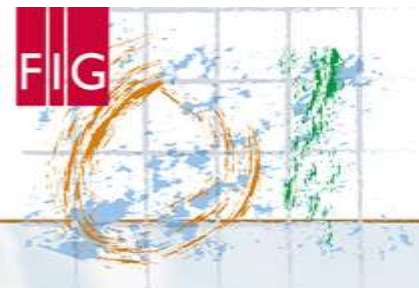


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3D property units different functions/management



Apartments

Offices

Shops

- Different constructions or floors in the same building/construction can have different owners. Implementation of larger road and rail road projects is facilitated.

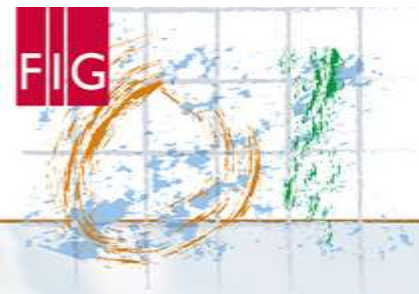


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Advantages of 3D properties

The need for 3D properties, practical examples:

- More efficient use of properties within city centers
- More efficient use of public owned land through underground constructions, for example garages
- 3D properties clarifies the ownership and rights between different actors, for example on stations, travel centers, port terminals and tunnels
- Also useful for a wide range of other purposes

Advantages with 3D properties:

- Increased building in city centers (better use of existing schools, public space and infrastructure)
- Facilitates financing of infrastructure projects
- Easements and agreements are replaced with ownership
- Clarifies responsibilities for common facilities



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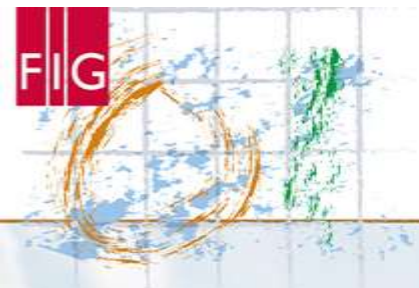


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Property formation for 3D properties

Application to the cadastral authority (Lantmäteriet)

3D properties are formed and reformed with a cadastral procedure

There are rules about suitability and special regulations

Formal contact with the municipality/ the local building committee.

The cadastral authority decides, for example when a construction shall be built.

1 state and 39 municipal cadastral authorities



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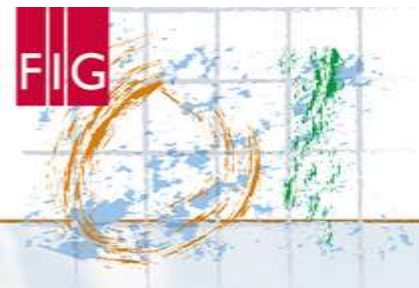


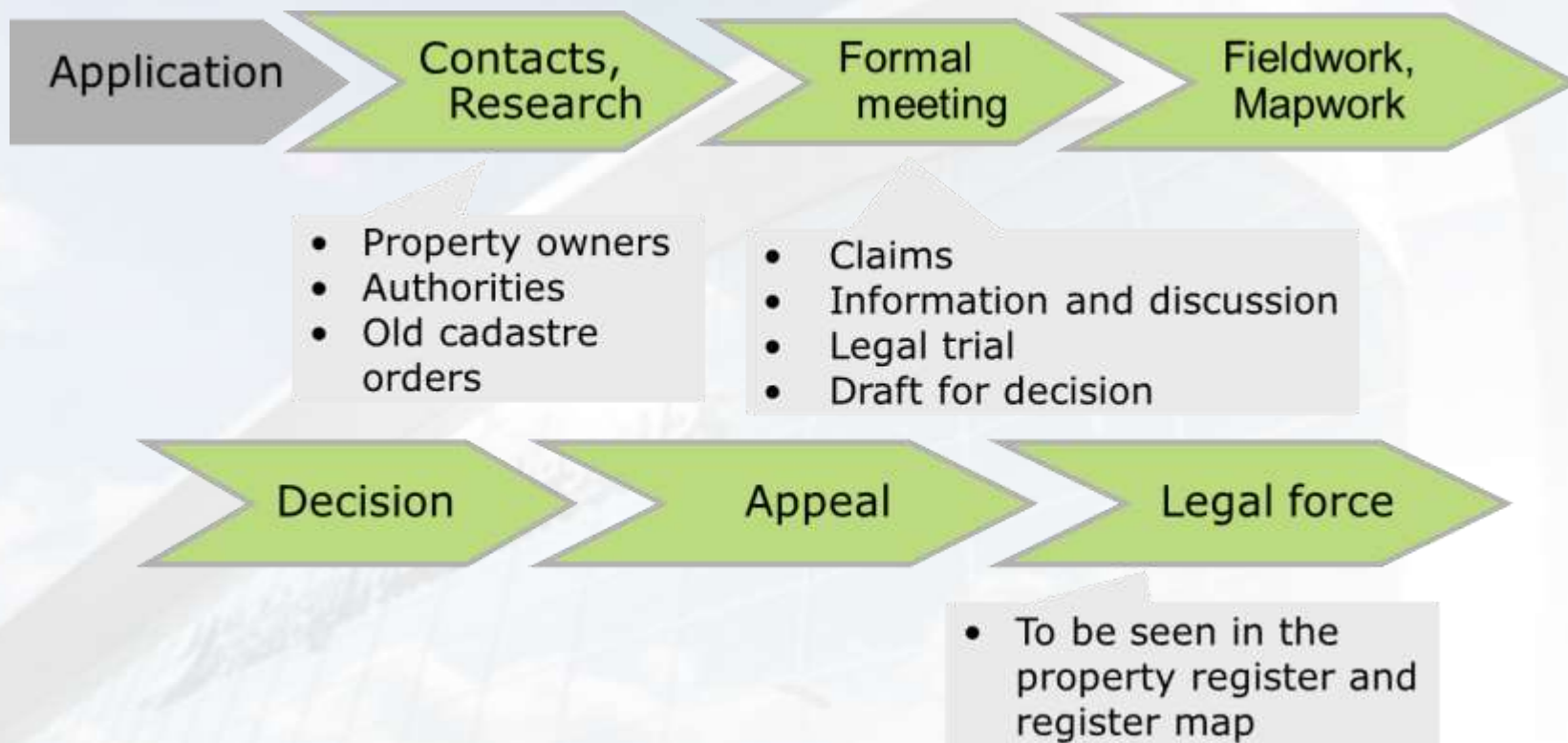
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The cadastral procedure



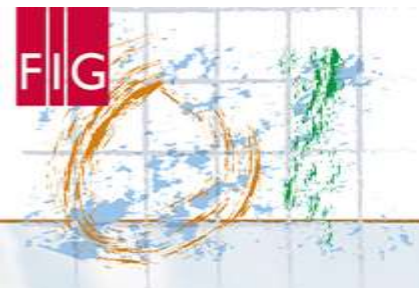


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Implementation

Usual rules concerning property formation are applied

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Certain special rules about 3D properties



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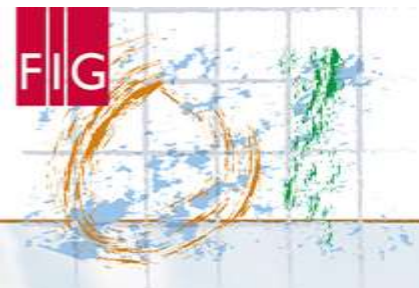


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General questions

- New or changed properties have to be suitable for their purpose longterm.
- The cadastral surveyor is responsible for the basis of the decision and therefore that the questions about rights (easements etc) are solved.
- Property formation have to be in accordance with existing plans and regulations.



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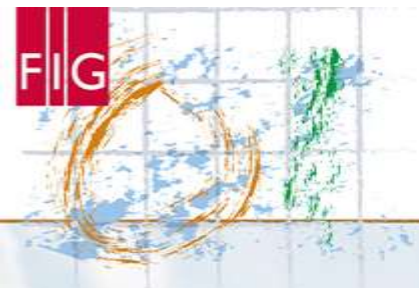


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Special regulations

3 D property shall include a building or other construction or part thereof

Exception unbuilt:

If it is necessary to secure financing or the construction of the building.

The property have to be operational within the near future. The cadastral authority decides the time.

If the building is not constructed or if it is destroyed the 3D property returns to the ground property.

It have to consist of at least 3 apartments.

It has to be ensured rights needed to be used in an appropriate way.



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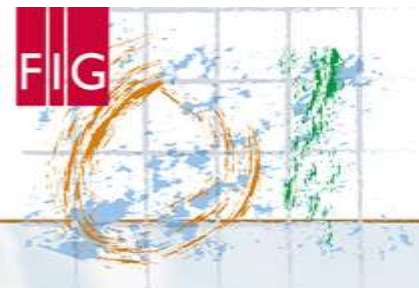


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Planning regulations



- The building and planning act is not changed.
- New detailed development plans are often made for three dimensions
- Detailed development plans usually regulate the permitted use of the properties, not the division into property units.
- Old property formation plans can be a problem.

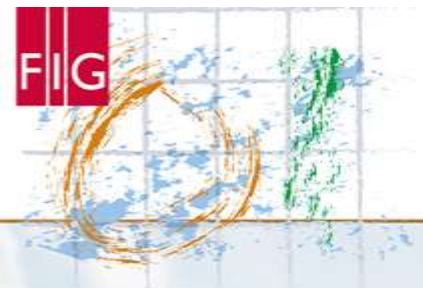


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Cooperation within the building



Rights shall be created when needed

the property unit is assured of the rights necessary in order for its appropriate use to be possible...”

Easements according to RPFA

Joint facilities according to the joint facilities act

Funding to ensure maintenance and renewal of joint facilities

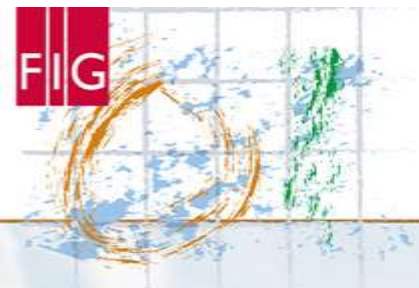


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Boundaries for the 3D property

Defined through: the existing facility or building permit plan

4 Chap. 27 § Real Property Formation Act

No specific regulations concerning how to specify the boundaries of the 3D property.

If setting out and marking the boundaries can not be done in a suitable way, the boundaries shall be described with sufficient clarity on a cadastral survey map and in the cadastral records (description).



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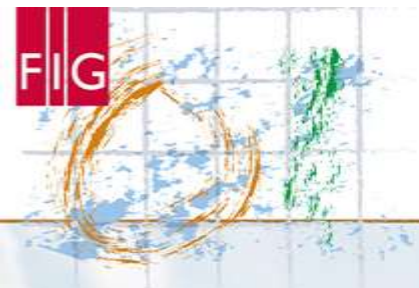


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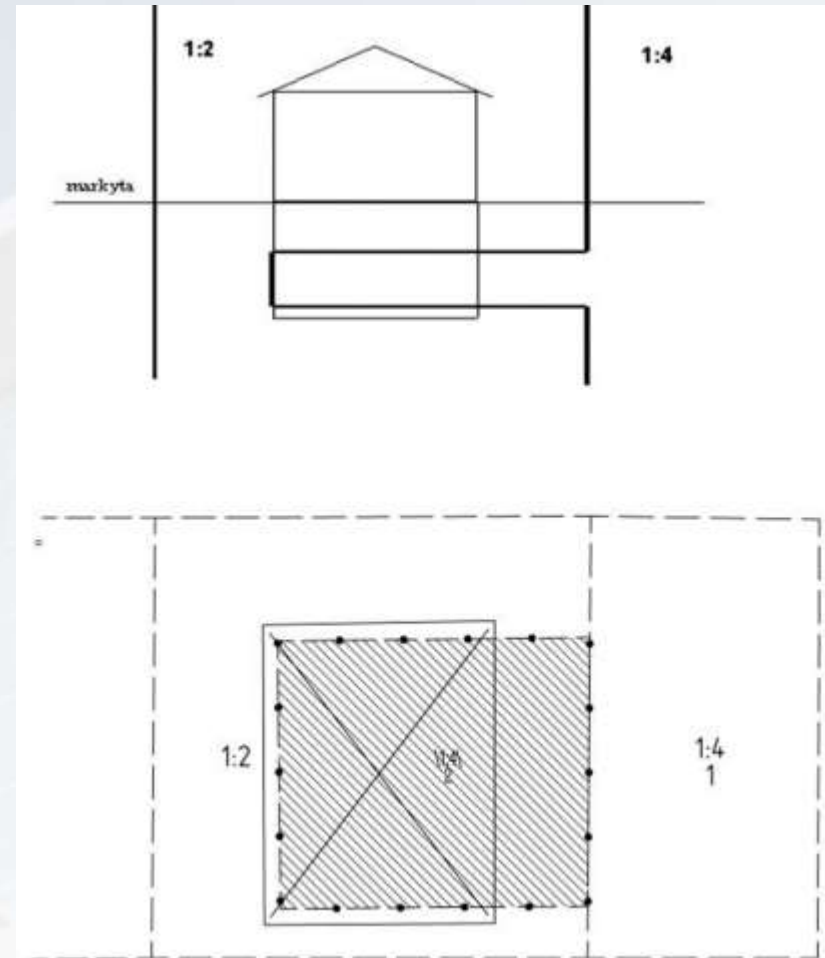
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Real Property Register

- Norr 1:4 with 3D property space
- Norr 1:2 hollowed by 3D property space
- Digital Index Map



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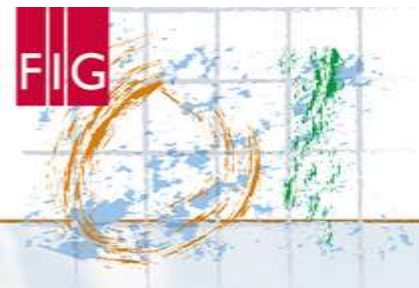


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3D properties in Sweden since year 2004

- There are 827 formed 3D properties (2016.12.31)
- There are 1066 ownership apartments (2016.12.31)
- More 3D properties in the larger cities and in the South and Western part of Sweden (Malmö, Gothenburg etc.)
- Fewer 3D properties in the rural areas and zero ownership apartments in some counties in the north and in other rural areas.
- Stockholm – large infrastructure projects are using 3D property formation



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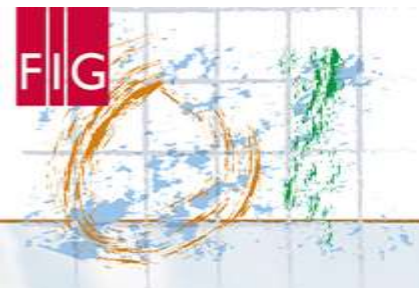


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Contact

Alexandra Höglom Moisio

E-mail: alexandra.moisio@lm.se

Office: +46 8 709 57 77

More information: www.lantmateriet.se



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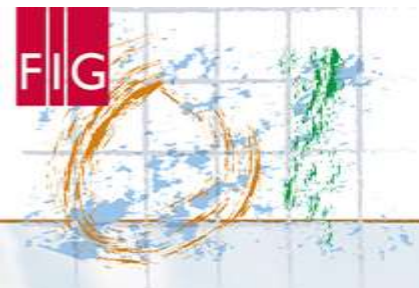


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Thank you!



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