

Fayzrakhmanov Lenar Mansurovich

postgraduate student, senior lecturer

Ibatullina Gulnaz Ilgizovna

student

Kazan State Agrarian University

Kazan, Republic of Tatarstan

**FEATURES OF STATE CADASTRAL REGISTRATION
AND REGISTRATION OF REAL ESTATE RIGHTS
IN THE URBAN ENVIRONMENT**

***Abstract:** the article is devoted to the analysis of the peculiarities of state cadastral registration and registration of real estate rights. The characteristic features of regulatory legal acts that directly or indirectly affect this issue are described. The legal aspects of Russian legislation in the field of state cadastral registration and registration of real estate rights are considered.*

***Keywords:** urban environment, features of state cadastral registration, type of permitted use, rules of land use and construction, public cadastral map, categories of zones.*

Файзрахманов Ленар Мансурович

аспирант, старший преподаватель

Ибатуллина Гульназ Ильгизовна

студентка

ФГБОУ ВО «Казанский государственный

аграрный университет»

г. Казань, Республика Татарстан

**ОСОБЕННОСТИ ГОСУДАРСТВЕННОГО КАДАСТРОВОГО УЧЕТА
И РЕГИСТРАЦИИ ПРАВ НЕДВИЖИМОГО ИМУЩЕСТВА
В ГОРОДСКОЙ СРЕДЕ**

***Аннотация:** статья посвящена анализу особенности государственного кадастрового учета и регистрации прав недвижимого имущества. Описаны*

характерные особенности нормативно-правовых актов, которые напрямую или косвенно затрагивают данный вопрос. Авторами рассмотрены юридические аспекты российского законодательства в области государственного кадастрового учета и регистрации прав недвижимого имущества.

Ключевые слова: *городская среда, особенности государственного кадастрового учета, вид разрешенного использования, правила землепользования, правила застройки, публичная кадастровая карта, категории зон.*

The modern development of the urban agglomeration involves the solution of certain tasks, of which special attention is paid to changes of a territorial nature. Territorial development in our country consists of the approaches of the Soviet period and the modern paradigm, which have repeatedly undergone changes.

Regulatory and legal provisions are being improved based on the needs of the state within the framework of interdepartmental cooperation. The current legislation determines the need to include data on the location of the boundaries (in the local coordinate system) of territorial zones in the Unified State Register of Real Estate, to set the maximum and minimum (max and min) sizes of land plots, to approve their type of resolved use (VRI) according to the rules of land use and development (PZZ).

The instrument for implementing the positions of legislation in the field of urban planning is the PZP, reflecting the modern practice of urban regulation. For the first time in the Russian Federation, the possibility of developing a PZP appeared with the adoption of the Civil Code. The PZP is a document of informative content about territorial zones and includes town-planning regulations applicable to this territory, which was adopted at the legislative level, based on a decision of local self-government bodies of the municipality.

The main task of the PZP is that this document of urban planning zoning is a tool for translating the main design decisions of the city's master plan into everyday activities for the planning of territories, design and construction.

When analyzing such a normative legal act as the «Rules of Land use and development», it can be concluded that it is a kind of lever for state bodies to improve the

functional zones of the territories of settlements, relying on established town-planning regulations and regulate the urban development activities of the territory to which these rules apply.

By virtue of the Land Legislation of the Russian Federation [1], the law enforcement procedure in relation to land as a real estate object is determined in accordance with the permitted use of a particular territorial zone – a zone with a specific set of town-planning regulations, the immediate location of the land plot. The town-planning regulations cover all land plots and ACS within the boundaries of one territorial zone.

Since the rules can be created for a part of the territory, depending on the essence of the functional zone, it is possible to include one or more territorial zones on the urban planning zoning plan with the establishment of the main function of urban planning application.

Many factors depend on the intended purpose, the type of permitted use, under which the owner of real estate disposes of the option of its use related to the operation and construction of facilities [2].

Information about the location of the boundaries of territorial zones in accordance with the provisions of Law No.-218 FZ on state registration of real estate [3] entered into the EGRN in an accessible format for an unlimited number of persons. The extracts of the EGRN and the Internet resource «public cadastral map» provide an opportunity to obtain the necessary information to any person.

Competently developed rules of land use and development, ensure the legitimate interests of right holders, and affect the simplified nature of the process of state cadastral registration.

In such a city of the Russian Federation as Kazan, one can observe the impressive progress of urban planning regulation reforms. The old master plans of cities did not meet the new political, social and economic conditions, but served as a starting point in the development of this direction. The first PZS of the city of Kazan were adopted in 1998. They contained the first map of territorial zoning, on the basis of which the rules have been modified and improved for more than 20 years.

In Kazan, the decisive step in the transformation of urban regulation was the division of the master plan into three independent documents, with their own goals and objectives, but closely related to each other: the master plan, the PZP, the concept of urban development.

The master plan has become a forward-looking document for the planning of the territory, defining the main directions of the development of the city.

This document inherits to a greater extent the functions of the previous master plan.

The PPC regulates the actions of the owners of real estate and is an integral part of the legal documentation. The PZP acts as a lever for regulating relations between the administrative bodies of local self-government and the owner of real estate objects in the field of rational use and rules for the construction and reconstruction of real estate objects.

The concept of urban development is the urban planning basis for the development of the PZP and incorporates the most realistic part of it from the general plan. The concept is a kind of intermediate link between the forecast master plan and the PZP.

The content of the PPZ provides for three parts:

- the text part, including legal norms;
- the cartographic part contains: maps of urban zoning of the territory, maps of restrictions on the requirements of the protection of cultural monuments, maps of restrictions on water protection requirements, etc.;
- regulations of permitted use with their specific values for each category of zones (VRI, min and max sizes of land plots, parameters of permitted construction, margins from the boundaries of land plots to buildings).

Of course, the experience of Kazan in the field of urban planning regulation and development of the real estate market is valuable and indicative for other cities of the country. The inclusion of various information networks at the federal and regional levels, the experience of international and interregional relations, participation in the work of public organizations at various levels influenced the existing outcome of the

formation of this system. Public discussion and presentation of decisions and actions in this direction carried out by the city administration contributed to the public becoming interested in the policy of the city authorities in the field of real estate [4, p. 51].

Thus, the rules of land use and development, as a local regulatory act, are designed to identify and formalize in a legal way the uniqueness and uniqueness of each locality. To preserve the specifics of the city's economy, its location, cultural traditions, and established organizational structures – this is the main task of legal zoning. The legal norms laid down in the PZP of the city should accurately reflect the individuality of not only its current state, but also the immediate prospects for development [4, p. 53].

References

1. Land Code of the Russian Federation №136-FZ dated 25.10.2001 (as amended on 02.07.2021) (with amendments and additions, intro. effective from 01.09.2021) // Legal reference system «Consultant plus», 2021
2. Rules of land use and development as a document of urban planning design and a tool for regulating urban planning and land-property relations: GIS Association website [Electronic resource]. – Access mode: <https://ru.wikipedia.org/wiki/> (accessed: 01.12.2021).
3. Federal Law №218-FZ of 13.07.2015 (as amended on 06.12.2021) «On State Registration of Real Estate» (with amendments and additions, intro. effective from 10/28/2021) // Legal reference system «Consultant plus», 2021
4. Vysokovsky A.A. «Rules of land use and development»: strategy of putting into effect / A.A. Vysokovsky, I.V. Abankina, T.V. Abankina // City administration. – 1999. – №2. – P. 48–55.