UPDATE OF LAND BOOKS: "MODUAT" INTER-COUNTY, FOLLOWING MODIFICATION OF THE ATU LIMIT, AS WELL AS THE COUNTY LIMIT

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Abstract: *Following the modification of the boundaries of the territorial administrative units (UAT), but also of the county limits, the land books are influenced on a case-by-case basis, so that it is updated through documentation.The present work was done for the purpose of inscribing the C1 construction – "Wind power plant" in a book land affected by the UAT limit change; on the building CFE 30157 outside the built-up area of Toplet, UAT Toplet, following the measurements and the office operations, a documentation on interrupted flow, on service code: MODUAT with deposit at BCPI Caransebes / OCPI Caras-Severin, in order to update according to the new UAT limits, building CFE 30157 Toplet, UAT Toplet passing Orsova (out of town), UAT Orsova, according to the limits of E-Terra III.The "MODUAT" documentation obtains both the location and delimitation plan (PAD) targeted by the Office of cadaster and real estate advertising Caras-Severin on the outside the built-up area of Orsova, UAT Orsova (which belongs to OCPI Mehedinti). By using this PAD, the documentation will be submitted on the code "2.1.1 – First real estate registration" + "2.6.1 – Construction registration" at BCPI Orsova / OCPI Mehedinti, containing a specification in the technical memory that the building is also affected by the modification of the UAT limit. The proof is the PAD endorsed by OCPI Caras-Severin.As a result, the cadastral inspector allocates a new cadastral number and a new land book number of the building "CFE 30157 Toplet, UAT Toplet", namely CFE 54023 outside the built-up area of Orsova, UAT Orsova and also inscribes in the new land book the building C1-54023 – "Wind power plant", thus issuing: End of admission of land book CFE 54023 Orsova, UAT Orsova, Information extract of the land book CFE 54023 Orsova, UAT Orsova as well as the Plan of location and delimitation of the building CFE 54023 Orsova, UAT Orsova.In order to avoid double evidence, following the allocation of the new cadastral number and the new land book number on UAT Orsova, by BCPI Orsova / OCPI Mehedinti, according to UAT and county limits based on E-Terra III data, the beneficiary of the documentation of "MODUAT", respectively "First real estate registration" request to terminate the land book no. 30157 Toplet, UAT Toplet at BCPI Caransebes on the code "2.4.1 – Deletions" + the code "2.5.1M – Material error correction". The application will display the following: End of book admission land CFE 54023 Orsova; the site and delimitation plan (PAD) targeted by the Cadastre Office and real estate advertising Caras-Severin on the built-up area outside Orsova, UAT Orsova; the site plan and delimitation (PAD) targeted by the Office of cadaster and real estate advertising Mehedinti on Orsova, UAT Orsova as well as a copy after the identity document, following that at the term assigned to the request the chief registrar should order the cessation of land book no. 30157 Toplet, UAT Toplet.*

Key words: *UAT, MODUAT, First real estate registration, Construction registration*

INTRODUCTION

A property guaranteed by law, a correct, transparent and easy to manage record is the European intention. Achieving such an aspiration involves political will, financial effort and concerted actions of several state institutions (HERBEI, M. V. ET ALL., 2010, 2016).

The National Agency for Cadaster and Real Estate Advertising has a defining role in identifying and registering real estate and in creating the real basis for valuing, taxing and guaranteeing properties, thus contributing to the security of real estate transactions. The success of the Agency presupposes that the political, economic, administrative decisions create

a structured and coherent conceptual and action framework, with the main objective being the development of the unitary cadaster and land book system (SMULEAC, A. ET ALL., 2012, 2017).

A fully functional land registry and land registry system is the key element in the economic development process (ȘMULEAC, A. ET ALL., 2015), securing private property rights over buildings. It serves as a fundamental mechanism for the registration and transfer of real estate assets from one entity to another, establishes and records the real rights and provides information for mortgages and financial development. This is an optimal operating environment for all the activities of the real estate market. Also, information on real estate is the foundation of territorial development, as well as for the creation of an infrastructure of territorial planning and urban planning policies (ȘMULEAC, L., ȘTEFANCA, L. ET ALL., 2017).

The main normative act for the Integrated Cadaster and Real Estate Advertising System in Romania is Law no. 7 of March 13, 1996. The normative framework was fundamentally changed by the Government Emergency Ordinance no.41 / 2004 (GEO), which amended this law regarding the structure of the land book offices of the courts, integrating them into within the newly established National Agency, creating 42 cadaster and real estate advertising offices (OCPI), subordinated to ANCPI, in each county and in Bucharest.

Starting with 2006 in our country, the e-Terra system is implemented (the integrated information system for cadaster and real estate advertising through which ANCPI manages the cadastral register and land book of Romania).

MATERIALS AND METHODS

The kinematic measurements were made in the outskirts of Orsova with the Leica 1200 series GPS equipment (ȘMULEAC, L. ET ALL., (3), which is a device that contains a multitude of applications (NEX, F.; REMONDINO, F. (2014). The 1200 series GPS can be used either as a reference station or as a rover for both static and kinematic (RTK) measurements (SIMON M. ET ALL., 2018).

In the work for the GPS measurements, I used the static method, and the data acquisition was performed at 5s, where I activated the Long Raw Observation function (5s). The metering engine used is the SmartTrack type which acquires satellites in seconds. The antennas used are dual frequency type: AX1202GG and ATX1230 GG with SmartTrack and supports GLONASS, GPS and GALILEO signals. The raw data obtained can be exported directly from the GPS1200 receiver, but for the present work, the data were downloaded using the Leica Geo Office Combined program, namely RAW data. The GPS reference system is WGS 84 (World Geodetic System).

In order to realize the postprocessing of the data obtained from the field (by parking with the GPS equipment on the concrete terminals), the RINNEX data from the Permanent

Stations had to be acquired as well, also at 5 seconds. Together with the data acquired before, I did post-processing, obtaining the WGS 1984 of stationary terminals coordinates on the field.

This GPS 1200 equipment can also be used in addition to the classic topographic surveys (ŞMULEAC, L. ET ALL., 2016) to the drawing, monitoring, and seismic measurements. The 1200 series GPS receivers are designed to work in the toughest conditions and can withstand falls and vibrations, operate during rain and snow at temperatures between - 390C and + 640C.

The raw data transformation (RAW DATA) from the ETRS89 system into the STEREO'70 system was performed in the framework of the TransDatRO program, after which the points in AutoCAD were reported using the TopoLT program. The calculation of the coordinates from the ETRS'89 reference system in the system Stereografic'70 was made with the software TransDat 4.01 produced by ANCPI.

The permanent GNSS stations from which the RINNEX data was operated at 5s are: Drobeta Turnu Severin, Resita and Făget (table1).

Table 1

Permanent GNSS stations used in the post-processing

COORDONATE ELIPSOIDALE – ETRS89/ STEREO `70				
Denumire Staţie permanenta	**Clasa**	**B[m]**	**L[m]**	**He[m]**
Resita (RESI)	A	45° 17' / 426168 N	21° 53' / 256908 E	256 m
Faget (FAGE)	A	45° 51' / 487750 N	22° 10' / 280960 E	216 m
Drobeta Turnu-Severin (DRTS)	A	44° 37' / 350251 N	22° 38' / 312438 E	90 m

Oficiul de Cadastru și Publicitate Imobiliară CARAȘ-SEVERIN
Biroul de Cadastru și Publicitate Imobiliară Caransebeș

ANCPI

Nr. cerere 17448
Ziua 14
Luna 06
Anul 2019

EXTRAS DE CARTE FUNCIARĂ
PENTRU INFORMARE
Carte Funciară Nr. 30157 Toplet

Imobil aflat sub incidența art. 3 alin. (1) din Legea nr. 17/2014

A. Partea I. Descrierea imobilului

Nr. CF vechi:2704- Toplet
Nr. cadastral vechi:103
Nr. topografic:%/1.-Toplet

TEREN Extravilan
Adresa: Jud. Caraș-Severin

Nr. Crt	Nr. cadastral Nr. topografic	Suprafața* (mp)	Observații / Referințe
A1	30157	144	Izlaz comunal

B. Partea II. Proprietari și acte

Înscrieri privitoare la dreptul de proprietate și alte drepturi reale		Referințe
21558 / 19/12/2007		
Act De Dezmembrare Parcelare nr. 5115/2007 emis de n.p. Renee Lidia Andronache;		
B1	Intabulare, drept de PROPRIETATEcf.vechi, dobandit prin Lege, cota actuala 1/1	A1
	1) **COMUNA TOPLET**	
	OBSERVATII: (provenita din conversia CF 2704- Toplet)	

C. Partea III. SARCINI

Înscrieri privind dezmembrămintele dreptului de proprietate, drepturi reale de garanție și sarcini		Referințe
16966 / 30/05/2014		
Act Notarial nr. 464, din 29/05/2014 emis de Mihaescu Mariana;		
C6	se inscrie contractul de cesiune aut.464/2014, a contractului de Asociere nr. 921/2009, modificat prin Actele aditionale aut.923/2009 si nr.1547/2011, nr.1597/2011 si sub nr. 969/2012, prin care cedentul Toplet Energy SRL, transfera cesionarului MONSSON ALMA SRL, contractul de asociere modificat prin actele aditionale mentionate mai sus	A1
C7	Intabulare, drept de SUPERFICIE	A1 / C.8
	1) **SC MONSSSON ALMA SRL**, CIF:9881605	

Figure.1 Land Book 30157 on UAT Toplet, to be updated on UAT Orsova

After performing and processing the measurements, I passed the preparation of the documentation on interrupted flow, on the service code: MODUAT with submission to BCPI Caransebes / OCPI Caras-Severin, in order to update according to the new limits of UAT, the building CFE 30157 Toplet, UAT Toplet passing on Orsova (out of town), UAT Orsova, according to the limits of E-Terra III (figure 1).

Following the submission of the documentation on the code "MODUAT", we obtain the location and delimitation plan (PAD) targeted by the Office of cadaster (ȘMULEAC, A. ET ALL., 2016), and real estate advertising on the outskirts of Orsova (figure 2), UAT Orsova (belonging to OCPI Mehedinti).

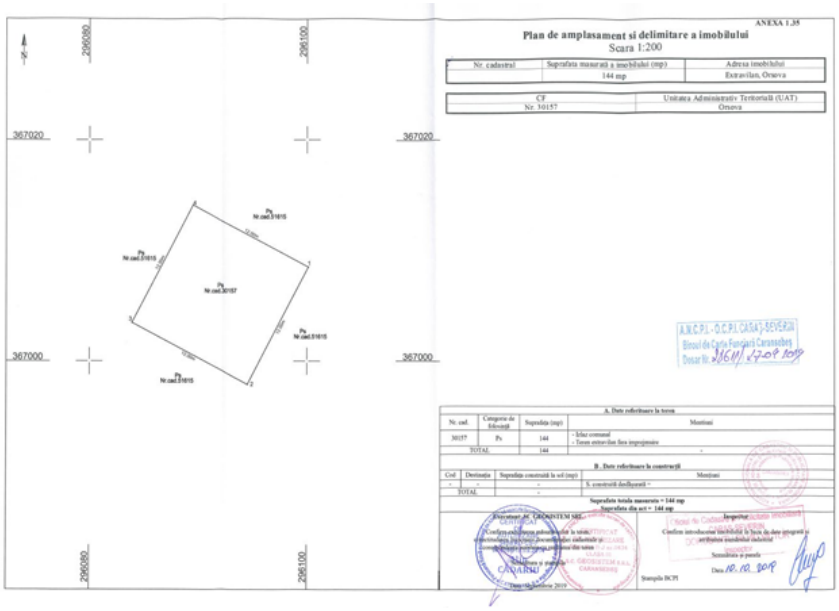


Figure.2 PAD with OCPI Caras-Severin visa on UAT Orsova

Once I obtained the PAD targeted by the Office of cadastral and real estate advertising Caras-Severin on the Orsova outskirts, UAT Orsova (belonging to OCPI Mehedinti), I went to step no.3, namely the preparation of the documentation on the code "2.1. 1 - The first registration of the building "+" 2.6.1- Registration of constructions" submitted to BCPI Orsova / OCPI Mehedinti, with the specification in the technical memory of the fact that the building is also affected by the modification of the UAT limit, the proof being the PAD endorsed by OCPI Caras Severin.

The cadastral inspector to whom the documentation for approval is allocated allocates a new cadastral number and a new land book number of the building “CFE 30157 Toplet, UAT Toplet”, namely CFE 54023 extravilan Orsova, UAT Orsova and also inscribes in the new land book the building C1 -54023 - “Wind power plant”, issuing as follows: Completion of the admission of the CFE 54023 Orsova, UAT Orsova land book, CFE 54023 Orsova land information information extract, Orsova UAT as well as the location and delimitation plan of the CFE 54023 Orsova building, UAT Orsova (figure 3 and 4).

Oficiul de Cadastru și Publicitate Imobiliară MEHEDINȚI
Biroul de Cadastru și Publicitate Imobiliară Orșova

ANCPI

Nr. cerere 10312
Ziua 22
Luna 10
Anul 2019

EXTRAS DE CARTE FUNCIARĂ
PENTRU INFORMARE
Carte Funciară Nr. 54023 Orșova

Imobil aflat sub incidența art. 3 alin. (1) din Legea nr. 17/2014

A. Partea I. Descrierea imobilului

TEREN Extravilan
Adresa: Jud. Mehedinți

Nr. Crt	Nr. cadastral Nr. topografic	Suprafața* (mp)	Observații / Referințe
A1	54023	144	Teren neimprejmuit; Iziaz comunel; teren extravilan fara imprejmuire

Construcții

Crt	Nr cadastral Nr.	Adresa	Observații / Referințe
A1.1	54023-C1	Jud. Mehedinți	Nr. niveluri:1; S. construita la sol:13 mp; Instalatie eoliana
A1.2	54023-C2	Jud. Mehedinți	Nr. niveluri:1; S. construita la sol:4 mp; Scari

B. Partea II. Proprietari și acte

Înscrieri privitoare la dreptul de proprietate și alte drepturi reale		Referințe
10312 / 22/10/2019		
Act Notarial nr. 465, din 29/05/2014 emis de SPN Mariana Mihaescu; Act Administrativ nr. 57, din 11/11/2008 emis de Consiliul Judetean Caras-Severin; Act Notarial nr. 3193, din 22/10/2019 emis de SPN Trifu Eugenia; Act Administrativ nr. 28611, din 27/09/2019 emis de BCPI Caransebes; Act Administrativ nr. 02, din 24/06/2009 emis de SC EUROPROIECT SRL; Act Administrativ nr. 2271, din 23/09/2019 emis de Primaria Toplet;		
B1	se infiinteaza CFE 54025 UAT ORSOVA pentru imobilul in suprafata de 144 mp prin transnotarea suprafetei totale de 144 mp din CFE 30157 TOLPET , in baza NOTEI DE SERVICIU NR 1876 din 25.10.2019 intocmit de inspector POPESCU FLORENTINA CLAUDIA care atesta ca imobilul este amplasat pe UAT ORSOVA si a documentatiei cadastrale avizata de OCPI MH in data de 25.10.2019.	A1
B2	Intabulare, drept de PROPRIETATEcu titlul neschimbat castigat in seria si rangul incheierii de carte funciara nr 21558/19.12.2007,in baza act 5115/2007 emis de NP Renee Lidia Andronache, dobandit prin Lege, cota actuala 1/1	A1
	1) **COMUNA TOPLET**	
B4	Intabulare, drept de PROPRIETATEcu titlul de drept cumparare, dobandit prin Convenție, cota actuala 1/1	A1.1, A1.2
	1) **MONSSON ALMA S.R.L.**, CIF:9881605	

C. Partea III. SARCINI

Înscrieri privind dezmembrămintele dreptului de proprietate, drepturi reale de garanție și sarcini		Referințe
10312 / 22/10/2019		
Act Notarial nr. 465, din 29/05/2014 emis de SPN Mariana Mihaescu; Act Notarial nr. 3193, din 22/10/2019 emis de SPN Trifu Eugenia; Act Administrativ nr. 28611, din 27/09/2019 emis de BCPI Caransebes; Act Administrativ nr. 2271, din 23/09/2019 emis de Primaria Toplet; Act Administrativ nr. 57, din 11/11/2008 emis de Consiliul Judetean Caras-Severin; Act Administrativ nr. 02, din 24/06/2009 emis de SC EUROPROIECT SRL		
C1	Intabulare, drept de SUPERFICIEin seria si rangul incheierii de carte funciara nr 16966/30.05.2014 ,in baza contractului de cesiune aut sub nr 464/2014, a contractului de asociere nr 921/2009, modificat prin actele aditionale aut sub nr 923/2009 si 1547/2011, 1597/2011 si nr	A1

Document care conține date cu caracter personal, protejate de prevederile Legii nr. 677/2001. *Pagina 1 din 4*

epay.ancpi.ro

Figure.3 Land Book 54023 on UAT Orsova, UAT Orsova

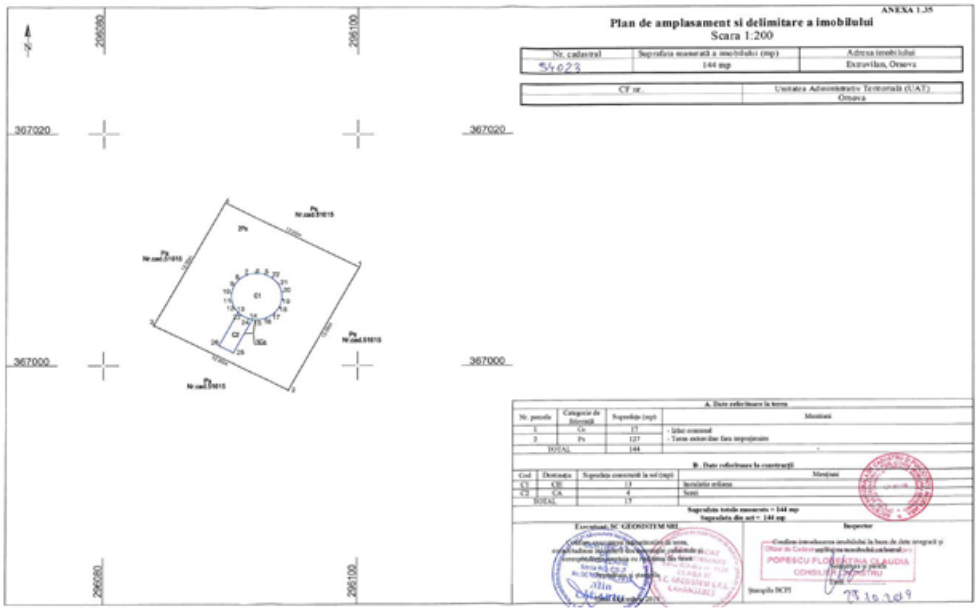


Figure.4 PAD with OCPI Mehedinti visa on UAT Orsova, where the buildings appear as well

RESULTS AND DISCUSSIONS

Following the allocation of the new cadastral number and the new land book number on UAT Orsova, by BCPI Orsova / OCPI Mehedinti, and according to the limits of UAT and county in the E-Terra III database, the beneficiary of the documentation of "MODUAT", respectively "The first real estate registration "submits a request for the cessation of the land book no. 30157 Toplet, UAT Toplet at BCPI Caransebes on the code" 2.4.1-Radiere "+ the code" 2.5.1M - Material error correction ", attaching the application: End of admission of the land book CFE 54023 Orsova; the plan of location and delimitation (PAD) targeted by the Office of cadastre and real estate advertising Caras-Severin on the outskirts of Orsova, UAT Orsova; the plan of location and delimitation (PAD) targeted by the Office of cadastral and real estate advertising Mehedinti on the outskirts of Orsova, UAT Orsova as well as a copy after the identity document, following that at the term assigned to the request the head registrar will order the cessation of the land book no. 30157 Toplet , UAT Toplet (figure 5 and 6).

Încheiere Nr. 1031

ANCPI

Oficiul de Cadastru şi Publicitate Imobiliară MEHEDINTI
Biroul de Cadastru şi Publicitate Imobiliară Orsova

Dosarul nr. 10312 / 22-10-2019
INCHEIERE Nr. 10312

Registrator: MIHAIELA GIURESCU **Asistent:** ILE

Asupra cererii introduse de HASCĂ ILIE domiciliat in Loc. Toplet, Nr. 283, Jud.
privind Prima inregistrare a imobilelor/unitatilor individuale (u.i.) in cartea funciara, in
-Act Administrativ nr.57/11-11-2008 emis de Consiliul Judetean Caras-Severin;
-Act Administrativ nr.2271/23-09-2019 emis de Primaria Toplet;
-Act Notarial nr.3193/22-10-2019 emis de SPN Trifu Eugenia;
-Act Administrativ nr.28611/27-09-2019 emis de BCPI Caransebes;
-Act Administrativ nr.02/24-06-2009 emis de SC EUROPROIECT SRL;
-Act Notarial nr.465/29-05-2014 emis de SPN Mariana Mihaescu;

fiind indeplinite conditiile prevazute la art. 29 din Legea cadastrului si a publicitatii
7/1996, republicata, cu modificarile si completarile ulterioare, tariful achitat in suma
cu documentul de plata:
-Chitanta interna nr.150252/22-10-2019 in suma de 4883,Chitanta interna nr.150384
in suma de 7212
pentru serviciul avand codul 211, 231, 261
Vazand referatul asistentului registrator in sensul ca nu exista impedimente la inscrier

DISPUNE

Admiterea cererii cu privire la:
- imobilul cu nr. cadastral 54023
- se intabuleaza dreptul de PROPRIETATE cu titlul de drept cumparare mod dobandire
cota de 1/1 asupra A1.1, A1.2 in favoarea MONSSON ALMA S.R.L., sub B.4 din car
54023 UAT Orsova;
- se intabuleaza dreptul de PROPRIETATE mod dobandire construire in cota de 1/1 asu
2 in favoarea SC TOPLET ENERGY SRL, sub B.3 din cartea funciara 54023 UAT Orsova
- se intabuleaza dreptul de SUPERFICIE in seria si rangul incheierii de carte funciara
05.2014 ,in baza contractului de cesiune aut sub nr 464/2014, a contractului de
921/2009, modificat prin actele aditionale aut sub nr 923/2009 si 1547/2011, 159
969/2012 prin care cedentul Tolpet Energy SRL ,transfera cesionarului SC MONSSO
contractul de asociere modificat prin actele aditionale mentionate mai sus asupra A.
MONSSON ALMA S.R.L., sub C.1 din cartea funciara 54023 UAT Orsova;
- se infiinteaza CFE 54025 UAT ORSOVA pentru imobilul in suprafata de 144 mp prin
suprafetei totale de 144 mp din CFE 30157 TOLPET , in baza NOTEI DE SERVICIU
25.10.2019 intocmit de inspector POPESCU FLORENTINA CLAUDIA care atesta ca
amplasat pe UAT ORSOVA si a documentatiei cadastrale avizata de OCPI MH
25.10.2019. asupra A.1 sub B.1 din cartea funciara 54023 UAT Orsova;
- se intabuleaza dreptul de PROPRIETATE cu titlul neschimbat castigat in seria si ran
de carte funciara nr 21558/19.12.2007,in baza act 5115/2007 emis de NP Renee Lidia
mod dobandire lege in cota de 1/1 asupra A.1 in favoarea COMUNA TOPLET, sub B.
funciara 54023 UAT Orsova;

Prezenta se va comunica părţilor:
COMUNA TOPLET
OCPI CARAS SEVERIN
HASCĂ ILIE
PRIMARIA COMUNEI TOPLET
CADARIU ALIN
MONSSON ALMA S.R.L.

Figure.5 Conclusion of CF issued by OCPI Mehedinti on UAT Orsova

OCPI

MEHEDINTI

Operator de date cu caracter personal nr.838/2007
Serviciul Cadastru

Nr. 1876 / 25.10.2019

NOTA SERVICIU

Catre : Serviciul Publicitate Imobiliara
BCPI Orsova ,

In atentia Domnului Popitu Ilie

Intrucit cererea cu numarul de 10312/22.10.2019 avind ca obiect prima inscriere ,a fost solutionata cu admitere si i s-a alocat numarul cadastral 54023 pentru imobilul situat in UAT Orsova , Jud. Mehedinti va aducem la cunostiinta ca trebuie sesizat B.C.P.I. Caransebes, Judetul Caras Severin, in vederea sistarii filei de carte funciara cu numarul 30157 de pe UAT Toplet.

25.10.2019

Popescu Florentina Claudia

Figure.6 Note issued by OCPI Mehedinti for the cessation of CF sheet 30157 UAT Toplet

CONCLUSIONS

With the modifications and updates of the e-Terra system regarding the UAT limits, as well as the county limits, the land books that are located in their proximity are influenced as well. Eventually, the land books must be updated at the request of the owners, as the case may be. In the present case we can specify the following:

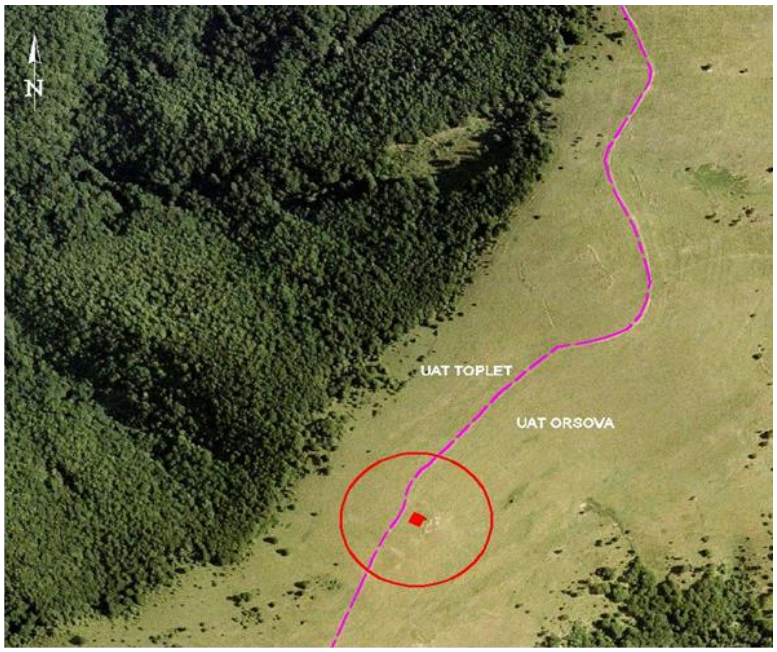
- By the documentation on the code "MODUAT" we obtain the site and delimitation plan (PAD) targeted by the Office of cadastre and real estate advertising Caras-Severin on the outskirts of Orsova, UAT Orsova;
- By the documentation on the code “2.1.1 - First registration of the building” + “2.6.1- Registration of constructions” submitted to BCPI Orsova / OCPI Mehedinti,, the following are obtained:

a. Conclusion of the admission of the land book CFE 54023 Orsova;

b. The information extract of the land book CFE 54023 Orsova

c. Placement and delimitation plan (PAD) targeted by the Office of cadastre and real estate advertising Mehedinti on the outskirts of Orsova, UAT Orsova;

- By submitting the application on the code "2.4.1-Clearing" + the code "2.5.1M - Material error correction" at BCPI Caransebes, the sheet of CF 30157 UAT Toplet is stopped, avoiding double evidence



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