

# AGRICULTURAL CADASTRE – ACHIVEMENTS AND EXPECTATION

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## **Abstract**

*The activity of cadastre in Romania has gone through several stages since 1794 until now. Today in Romania cadastre notion has been replaced with the notion of specific information system. The paper proposes a synthesis of the major accomplishments that have taken place in agriculture cadastre and the cadastre prospects in future.*

*Keywords: cadastre, lands, measurement, topographic*

## **1. INTRODUCTION**

Cadastral work in Romania

- the introduction stage beginnings general cadastre (1794 in Transylvania, Banat and Bucovina, 1831 in Wallachia and Moldova 1832);

It should be mentioned initiatives and outstanding efforts and Gheorghe Lazar GheorgheAsachi which led to the establishment in the year 1813 in Iasi and in Bucharest in 1818 that the first engineering schools have trained technical staff and local topographic and cadastral Contributors significantly to the introduction of the organization and working methods similar to those seen them in Western Europe.

- Stage 1919 - 1933, which began with the establishment of the Directorate for Cadastre and enhancement works in the Moldavia and Wallachia land after World War I and agrarian reforms and ended in 1933 when he published the first law that regulated the uniform of the general cadastre and land books (Law no. 23/1933)

The adoption in 1930 of cartographic projection system in place stereographical map projection. The adoption of new cartographic projection system has an important contribution to the French scientist and professor B. Roussilhe, which has been consulted and invited especially for this purpose in Romania. In the years that followed could prove that stereographical mapping project is the most suitable for our country and the replacement (after 1950) with Gauss-Kruger projection system was not, in many respects, a beneficial measure.

- Stage 1933 - 1955, which started with the beginning of a modern land, but whose works were interrupted during the Second World War and then being negatively impacted due to refractory conceptions of the regime towards this activity;

To achieve the sample and reference works generalization, cadastre and land books introduction began in Ilfov county and the towns former subordinate of Bucharest.

During the period 1944-1955 is a stagnation in land activity caused in part by measuring and plotting works made for temporary allotment of land to peasants, but mostly because of lack of support from the Communist regime, which is based on ideas of rights denial private property on land and, as such, was not interested in financing institution cadastre and land books that were just tools that help to confirm and protect the rights of real estate owned by individuals.

- Stage 1955 - 1989, which were used in various forms of land records (land records, cadastral land) targeted as a priority to collectivized agriculture and state property

- Thus, it legislates in 1955 (Decree no. 280/1955 and Government Decision no.1240/1955) organization and execution of "land record" with the primary purpose to serve the merging land collectivization of agriculture in action. Landscape plans for this record were made in a relatively short period (of approx. 6), photogrammetric methods and to a lesser extent by conventional

surveying methods. These plans were executed topographic 1:10 000 scale covering an area of approx. 13 million hectares.

- It was thus found that the evidence simply was not enough land in stopping the abuses and disputes between agricultural units and those of other sectors (forestry, urban, mining, communication ways, water management, etc.) surveillance process of using the entire country's land fund. Therefore, in 1968 (Law no. 12/1968 on the protection, conservation and land use AGICOA) provides inter alia the introduction of land cadastre throughout the country.

## **2. MATERIAL AND METHOD**

An important milestone not only for land surveying work, but also for the activities of geodesy, photogrammetric and cartography to regulations established by Decree No 305/1972 on the activities of geodesic, topographic, photogrammetric and cartographic, and use data and documents resulting from this activity. This bill was covered, inter alia, for the first time, stronger obligations for the units that performed works, has established a coordination unit in order to avoid duplication and capitalize proper geodesic and cartographic existing assets, but the most important measure of topographic plan was drawing up rules for the financing of the country the stairs 1:5 000 and 1:2000. Obviously, the topography of the country's plan was designed as a direct support for the work of surveying land by providing that the derivation of the land content of basic topographic maps plan to provide support mainly for land surveying works.

- Stage 1990 - 1995, the entire staff of the Land Cadastre unit was mobilized to work for the implementation of the Land Law no. 18/1991 and in which the general absence of law for the new land and real estate advertising, cadastral works in the old system have been reduced or interrupted in most counties;

- In terms of contribution to the development of land cadastre works for the implementation of Law no. 18/1991, although it has a lower content of the general cadastre, however, proved useful in providing measurements and parceling works, but primarily in shortening the time of entering into possession and issuance of title deeds. Therefore, as expected, the order closing the application of Law no. 18/1991, which were ranked in the communal territories, generally coincided with the existence of timeliness and the cadastre and land for built-up areas from outside that made heritages former agricultural production cooperatives and agricultural associations.

- I-stage new general cadastre and real estate advertising, which, after 1995 created the framework for organizing and running a modern general cadastre, the demands of advanced democratic societies.

- Stage begins with the general appearance of the new law on cadastre and real estate advertising and event is the most important activity of land, but also for surveying and mapping activities in Romania, because:

- creates the possibility of putting into practice the latest concepts of creating a modern general cadastre, the land to join the books, which would place us among the countries that are created all conditions for socio-legal knowledge, objective but also for recognizing the right real estate property tax and the establishment of equitable obligations of owners of property;

- the organizational and subordinate units of the general land will finally ensure coordination and execution of works by specialized technical staff, creating the possibility to avoid the interference that this activity has been adversely affected in the last 45 years;

- going through a coordinated and unified correlated, so the activity of general cadastral and geodetic and cartographic activities are created conditions that each of them to effectively use the results of other activities;

- for the generations who will participate in the new general cadastral work will be necessary to recover lost time with different forms of land records and finding the most effective ways to heritage geodetic, topographic and mapping, and the initiation new technologies, technical means and materials

### 3. RESULTS AND DISCUSSIONS

#### Cadastral - evolution and institutions

The first regulation in the field, as the other geometric plans of estates, based on topographic surveys have emerged in the late seventeenth century and the beginning of the eighteenth century, first in Banat, Transylvania and Bukovina, and then in the Old Kingdom. They emerged as the first higher-education institutions that teach in the course of "geodesy and initiation of field" in Iasi (1814) under the patronage of Iasi and Bucharest's (1818), at the initiative of George Lazar. The title "engineer boundaries" was established officially in 1868, the Rules for the restoration (based on the Roman Civil Code from 1865), and after 1930, the title "engineer land".

1933 year of publication is considered by the Law nr.23/1933 modern cadastral for land cadastre and introduction organization lands books in the Old Kingdom and Bessarabia, with the possibility of cadastral documents to be recognized "capital market" among the „securities" Stage of great importance to start unifying the general cadastre and land books (1933-1955) continued to step record systems of land cadastre and land (1955-1991), because after 1991 we are witnessing a stagnation period of cadastre general.

During 1947-1990, land was taken out of civil and cadastral system and land system has adapted to this situation, realizing, however cadastral plans and maps, as well as evaluation marks of land, especially for centralized economic planning, since then owners of property (state and cooperative sector). On the basis of normative acts, which constituted the basis of land records (Decree 281/1955 and nr.1240/1955 HCM), land was transformed, by the fact that the land used for merging in real estate property records state socialist and cooperative.

1990-1996 - worked for Cadastre and Land Office Fund (OCAOTA) under the Ministry of Agriculture.

1997 - In accord with Law nr.7/1996 cadastre and real estate advertising, has established the National Office for Cadastre, Geodesy and Cartography, public institution subordinated to the Romanian Government under the coordination of the Prime Minister, who provide guidance, control and geodetic work done, photogrammetric, remote sensing, cartography and cadastre in the whole country. Subordinated to the National Office for Cadastre, Geodesy and Cartography Institute works of Geodesy, Photogrammetric, Cartography and Cadastre and 42 Offices of Cadastre, Geodesy and Cartography at the county and Bucharest.

After the Revolution of 1989, a series of acts leading to the activity of cadastre and land, featuring her act, process that has gone through several stages:

- A first step was the appearance of GD 477 / 5 May 1990 on measures to improve the activity of the Directorate General for Agriculture and Food Industry of Bucharest and county and other agricultural units. Through this legislation, the land was officially founded and organized the territory, as budgetary units with legal personality, subordinated to the general directions for agriculture and food industry. Among the newly established functions of these structures is included government

- an introduction and updating of the General Land cadastre for all categories of detainees;

- an elaboration of studies, projects and documentation on spatial organization of agricultural land and the rational use of land and natural areas in the county;

- an agricultural land use regulation, According to the law;

- Organizing a fund country data on the activity of geodesy, cartography and land cadastre.

- Law 7 / 1996 - is being normative act by which the National Office for Cadastre, Geodesy and Cartography, as a public institution with legal personality, subordinated to the Government. In each county and of Bucharest organizes offices of cadastre, geodesy and cartography, which functions public institutions with legal personality, subordinated to the National Office. -endorsement of a topographic map content, atlases, guidebooks and other cartographic documents necessary for

public use; put at the disposal of public authorities and other interested institutions, under the law, summary statistical situations on land and buildings.

- Decision no. 612 / October 6, 1997 without further notice on the organization, functioning and powers of the agricultural cadastre and Land Planning. This decision was officially founded by agricultural land and agricultural land county organization, as public institutions with legal personality, subordinate directly to the Ministry of Agriculture and Food, separate offices for Cadastre Geodesy and Cartography, created by Law 7 / 1996. Tasks aimed at both the execution structure of agricultural land, the Land Planning and Land Law provided by 18/1991.
- In 2001 the Emergency Ordinance no. 70 amending Law No. 7 / 1996 cadastre and real estate advertising, which reorganized both offices of cadastre, geodesy and cartography and cadastre offices Agricultural and Land Planning, both structures being joined into one in each county. New structure formed by merging the two institutions will be called the county office of cadastre, geodesy and cartography and will operate as a decentralized public service of the National Office for Cadastre, Geodesy and Cartography. The new structure takes the attributes of the two previous institutions, carrying out both activities in the field of cadastre and land registration in agriculture and land laws. GD 1210 / 2004 marks the National Agency of Cadastre and Land Registration as a public institution with legal personality, the only authority in the field located to the Ministry of Administration and Interior, through their organization of the National Office for Cadastre, Geodesy and Cartography and acquisition activity on advertising estate from the Ministry of Justice. Subordinated to the National Agency acts as public institutions with legal personality, cadastre and land registry offices and the National Centre of Geodesy, Cartography, Photogrammetric and Remote Sensing, hereinafter called the National Center

The superiority of the land book system has been widely recognized, this is the appearance in Survey Law and Property no advertising. 7 / 1996, law that expands the real estate advertising system based on cards land throughout the country. The superiority of the system lies in the land book that takes into account the interests of third parties ignored by the Civil Code as it allows easy identification of the building. Also mentioned is the real nature of the evidence, that both parties, as well as interested third parties are able to know the legal status of a property at any time (owner, estate duties, mortgages, chases, blocking methods that are affected entitlement, the ability of the parties, etc.).

Real estate advertising based upon the evidence of the general cadastre system is to enter into the Land of the acts and legal facts about real estate. Each building has a book which included all acts translate or constitutive of rights, so it can meet its legal status.

#### **4. CONCLUSIONS**

According to Law 7 / 1996 update of 24/07/2010 the word cadastre specialty specific information system redefines the aim of the specific information activities. The informatics system are carried out by central government authority's in collaboration with National Agency for Cadastre and Real Property Registration in the National Program in accordance with Article 8 of Law 7 / 1996.

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