

99043003062000, 99043003062000

Have inheritance rights entered on several plots of land or on inheritance rights

Heruntergeladen am 08.06.2025

<https://fimportal.de/xzufi-services/114011954/L100027>

Modul	Sachverhalt
Leistungsschlüssel	99043003062000, 99043003062000
Leistungsbezeichnung I	Have inheritance rights entered on several plots of land or on inheritance rights
Leistungsbezeichnung II	Have inheritance rights entered on several plots of land or on inheritance rights
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Mecklenburg-Vorpommern
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Grundbuch (043)
Verrichtungskennung	Berichtigung (062)

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SDG-Informationsbereich	Vorübergehender oder dauerhafter Umzug in einen anderen Mitgliedstaat
Lagen Portalverbund	
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	23.11.2020
Fachlich freigegeben durch	Ministry of Justice Mecklenburg-Vorpommern Ministry of Justice Mecklenburg-Western Pomerania
Handlungsgrundlage	https://www.gesetze-im-internet.de/gbo/_6a.html https://www.gesetze-im-internet.de/gbo/_13.html https://www.gesetze-im-internet.de/gbo/_19.html https://www.gesetze-im-internet.de/gbo/_29.html https://www.gesetze-im-internet.de/erbbauv/_1.html https://www.gesetze-im-internet.de/gnotkg/_43.html https://www.gesetze-im-internet.de/gnotkg/_49.html https://www.gesetze-im-internet.de/gnotkg/_52.html https://www.gesetze-im-internet.de/gnotkg/anlage_1.html https://www.gesetze-im-internet.de/gbo/_6a.html https://www.gesetze-im-internet.de/gbo/_13.html https://www.gesetze-im-internet.de/gbo/_19.html https://www.gesetze-im-internet.de/gbo/_29.html https://www.gesetze-im-internet.de/erbbauv/_1.html https://www.gesetze-im-internet.de/gnotkg/_43.html https://www.gesetze-im-internet.de/gnotkg/_49.html https://www.gesetze-im-internet.de/gnotkg/_52.html https://www.gesetze-im-internet.de/gnotkg/anlage_1.html https://www.gesetze-im-internet.de/gbo/_6a.html https://www.gesetze-im-internet.de/gbo/_13.html https://www.gesetze-im-internet.de/gbo/_19.html https://www.gesetze-im-internet.de/gbo/_29.html https://www.gesetze-im-internet.de/erbbauv/_1.html https://www.gesetze-im-internet.de/gnotkg/_43.html https://www.gesetze-im-internet.de/gnotkg/_49.html https://www.gesetze-im-internet.de/gnotkg/_52.html https://www.gesetze-im-internet.de/gnotkg/anlage_1.html
Teaser	The hereditary building right is the right, usually against payment of a so-called ground rent, to erect a

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building on a plot of land that belongs to someone else.

Volltext

Inheritance law is the right, usually against payment of a so-called inheritance interest, to build a building on a plot of land that belongs to someone else. For this purpose, an inheritance law contract is concluded, in which an individual inheritance interest rate is fixed for a limited term (usually a maximum of 99 years). The inheritance interest, which is usually payable annually, is in principle subject to the free party agreement. Inheritance law can be sold, inherited or lent. Inheritance donors can be municipalities, churches, foundations or private individuals.

Inheritance law can also be ordered on several plots or several inheritance rights (total building law). When the heirly building right is to be appointed to one or more inheritance rights (so-called lower inheritance law or also the right of general inheritance), the person entitled to the inheritance passes on his right of development. In principle, in view of the registration of these total building rights, the land concerned must be

- in the same Land Registry district and
- are located in the same cadastral district and
- immediately adjacent to each other.

This requirement may exceptionally be waived in the interests of economically reasonable arrangements if:

- the land to be burdened are close to each other, and
- the object of the law of succession is a uniform building or a building with associated ancillary installations on the land to be **burdened, or**
 - the inheritance right is to be divided into housing or part building rights.

The registration in the land register is effected by the creation of the land register and the registration of the inheritance law in the land registers or debiting the

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existing inheritance law by registration of the lower inheritance law by the competent Land Registry Office.

Erforderliche Unterlagen

- Application of the landowner or the landowner or the upper right-owned or the upper ground building owner in a publicly certified form, if the application also has the registration permit contains ****or**** written application of the person entitled to inherit or the right to build a building permit in the case of the appointment of an entire building right on several land or several inheritance rights or of the person entitled to the sub-heritage or the person entitled to the sub-heritage building in the event of the appointment of an inheritance right to an inheritance right ****and, in addition,**** the registration permit of the land owner or the land owner or the upper estate owner or the upper estate owner in a publicly certified form.
- Certificate of safety from the tax office (for more information, please contact the notary working in your case)
- Proof of the agreement between the landowner and the owner of the estate or the right to build an inheritance and those entitled to sub-heritage construction in a publicly certified form
- if necessary. certified map of the cadastral office as proof that the plots are close to each other
- if necessary. Establishing the fact of the (completed or intended) construction of a uniform building or a building with associated ancillary installations on the land or the fact of the intended division of the inheritance right into housing or part building rights (for more information, please contact the notary working in your case or the notary working in your case)
- if necessary. further evidence and approvals

Voraussetzungen

The heritable building right is created by agreement of the beneficiary with the owner(s) of the land or the heritable building beneficiary(ies) and entry of a corresponding note to this effect in Section II of the land register of the encumbered land. In addition, a

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hereditary building land register is created.

For the establishment of sub-heritable building rights, the agreement between the senior heritable building right holder and the sub-heritable building right holder and the entry in the land register of the senior heritable building right are required. A hereditary building land register is created for the sub-hereditary building right.

For the registration of the overall or sub-heritable building right, an application for registration must be made by you or the certifying notary.

The registration of the heritable building right in the land register or in the heritable building land register and the creation of the heritable building land register take place when all the required documents have been submitted in due form and there are no obstacles to registration.

For further information on this subject, please contact a notary public.

Kosten

(as of November 2020)

at least EUR 15 - max. EUR 26,585 (with a maximum business value of EUR 60,000,000 and the charge):

A full fee is charged by the Land Registry for the re-registration of an inheritance law. Even in the case of an overall right, the fee is levied only once if the registration is made on the basis of a simultaneous application and the land register is kept at the same land register office. The actual fee amount depends on the goodwill. For the purpose of determining the goodwill, the amount of the inheritance interest capitalized in accordance with Section 52 of the Court and Notary Costs Act (GNotKG) is compared with the value of the built-up property in the amount of 80 percent. The higher value is decisive.

With regard to the specific legal costs to be expected in your case, you should consult the notary working in your case.

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In addition to the costs of the activities of the Land Registry, the costs of the notary's activity are also incurred in accordance with the GNotKG. Please ask the notary's assistant in quirs to the notary working in your case.dem. Information and examples of notary costs can also be found on the website of the Federal Chamber of Notaries (see further information on the link).

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Verfahrensablauf

You must apply for registration at the land registry. As a rule, the notary public who has certified or notarized the documents required for registration will arrange for the registration.

- The documents required for registration are checked by the responsible legal officer at the land registry.
- If documents are not complete or in the correct form, the competent Rechtspfleger will inform the notary or you in writing and request you to submit the missing documents or the documents in the correct form (to be certified or notarized).
- If all the necessary documents are available, the responsible legal officer will make the necessary entries, if necessary by creating a hereditary building land register.
- The notary submitting the application and you will be notified of the registration with the registration notice.
- The invoice of the land registry will be sent to you for payment of the costs.

Bearbeitungsdauer

individually, depending on the encumbrance situation of the responsible land registry office as well as the time when all required documents are available to the land registry office in due form
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Frist

weiterführende

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Informationen	https://www.justizadressen.nrw.de/og.php https://www.gesetze-im-internet.de/aktuell.html https://www.notar.de/themen/notarkosten https://www.justizadressen.nrw.de/og.php https://www.gesetze-im-internet.de/aktuell.html https://www.notar.de/themen/notarkosten https://www.justizadressen.nrw.de/og.php https://www.gesetze-im-internet.de/aktuell.html https://www.notar.de/themen/notarkosten
Hinweise	
Rechtsbehelf	
Kurztext	<ul style="list-style-type: none"> • Registration of a hereditary building right to one hereditary building right (sub-hereditary building right) or to several land plots or to several hereditary building rights in the land register (so-called joint hereditary building right) <ul style="list-style-type: none"> • The land registry creates the hereditary building land register (for the overall hereditary building right or the sub-hereditary building right) and makes the entry in the land registers or the hereditary building land registers • all requirements must be met • all required documents must be submitted to the Land Registry in due form • there must be no obstacles to registration • Responsible: Land registry office at the district court in whose jurisdiction the property is located and the land register is kept.
Ansprechpunkt	<p>The Land Registry Office of the District Court is responsible, in which the land register or (in the case of registration of a sub-inheritance law) the land register is kept. The responsible Land Registry office can be found on the address database of the Germany-wide local and court search on the north Rhine-Westphalia portal (see further information).</p>
Zuständige Stelle	<p>The land registry office of the local court at which the land register or (in the case of registration of a sub-heritable building right) the heritable building land register is kept is responsible. You can find the responsible land registry office in the address database</p>

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of the Germany-wide location and court search on the North Rhine-Westphalia justice portal (for link, see further information).

Formulare

Ursprungsportal

Have inheritance rights entered on several plots of land or on inheritance rights, Registering heritable building rights to several properties or heritable building rights, Erbbaurecht an mehreren Grundstücken oder an Erbbaurechten eintragen lassen