

99043010082000

# Property Ownership Rights in the Land Register Note

Heruntergeladen am 16.07.2025

<https://fimportal.de/xzufi-services/S1000020010000013293/S100002>

| Modul                     | Sachverhalt  |
|---------------------------|--|
| Leistungsschlüssel        | 99043010082000   |
| Leistungsbezeichnung I    | Property Ownership Rights in the Land Register Note    |
| Leistungsbezeichnung II   | Entry of a note of ownership in the land register      |
| Typisierung               | 2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug |
| Quellredaktion            | Hamburg  |
| Freigabestatus Katalog    | unbestimmter Freigabestatus                            |
| Freigabestatus Bibliothek | unbestimmter Freigabestatus                            |
| Begriffe im Kontext       | <div lang="en-x-mtfrom-de">sovereign's note</div>      |
| Leistungstyp              |  |
| Leistungsgruppierung      |  |
| Verrichtungskennung       |  |
| SDG-Informationsbereich   |  |
| Lagen Portalverbund       |  |
| Einheitlicher             |  |

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|----------------------------|--|
| Ansprechpartner            | Nein   |
| Fachlich freigegeben am    | 11.11.2024   |
| Fachlich freigegeben durch |  |
| Handlungsgrundlage         | <p>§ 21 Land Register Act (GBO) § 9 paragraph 1 of the Land Register Act (GBO) § 914 German Civil Code (BGB) § 1018 German Civil Code (BGB) § 1094 of the German Civil Code (BGB) § 917 German Civil Code (BGB) § 876 German Civil Code (BGB) § 9 ErbbauRG § 1105 German Civil Code (BGB) § 96 of the German Civil Code (BGB) Annex 1 Number 14160 to Section 3 Paragraph 2 of the Court and Notary Fees Act (GNotKG)</p>  |
| Teaser                     | <p>If you, as the owner of a property, have rights to another property (servient property), for example a right of way, you can have this recorded in the land register of your property (dominant property).</p>  |
| Volltext                   | <p>If you are the owner of a property and also have rights to another property, for example a right of way on the neighboring property, you can have this recorded in the land register of your property. In this context, your property is referred to as the dominant property and the property on which the right of way rests is referred to as the servient property. The dominant property's entry in the land register means that the consent, the so-called authorisation, of indirectly affected right holders is required if the right on the servient property should be deleted, Changes are made to the content of the law, or the rank of that right is changed. Those indirectly affected are those who have a real right to the dominant property, for example mortgage creditors, holders of usufruct or pre-emption rights. The dominant note thus protects rights holders who have a real right (mortgage, land charge, usufruct, right of pre-emption) to the dominant property.</p> |
| Erforderliche Unterlagen   | <p>Written application with designation of the right, specification of the dominant property and the servient property</p>   |
| Voraussetzungen            | <p>Written application by the owner of the dominant property or the person who has a real right to the</p>   |

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dominant property, for example the creditor of a land charge The right must be registered on the servient property beforehand or at the same time. You can only have the note entered in the land register of the dominant property if you have the following property ownership rights: easement according to the German Civil Code Subjective-real right of preemption according to the German Civil Code Subjective-real real burden according to the German Civil Code ground rent according to the Leasehold Act superstructure rent according to the German Civil Code emergency pension according to the German Civil Code

**Kosten**

A fee of €50.00 will be charged for the entry of the note in accordance with KV No. 14160 Annex 1 GNotKG.

**Verfahrensablauf**

Submit the application for registration of the ownership note to the land registry office in whose land registry district your property is located. The land registry office checks the requirements. The note is entered in the inventory of the land register of the dominant property. A note about the note is entered on the land register sheet of the servient property. You will receive a notification about the registration.

**Bearbeitungsdauer**

The processing time depends on the workload of the respective land registry office.

**Frist**

No.

**weiterführende Informationen**
**Hinweise**

Legal advice is not available at the district court. Please contact the persons authorized to provide legal advice. These are lawyers or notaries. The Public Legal Advice Service (ÖRA) offers low-cost legal advice for people with low incomes.

**Rechtsbehelf**

land registry complaint

**Kurztext**

As the owner of a property, if you have rights to another property, you can have this recorded in the land register of your property (ownership note). The same applies to those who have a real right to the dominant property, for example mortgage creditors,

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holders of usufruct or pre-emption rights. Your property is called the dominant property and the property on which the right rests is called the servient property. The dominant property's entry in the land register means that the consent of indirectly affected right holders is required if the right on the servient property should be deleted, Changes are made to the content of the law, or the rank of that right is changed. Those indirectly affected are those who have a real right to the dominant property, for example mortgage creditors, holders of usufruct or pre-emption rights. The dominant note thus protects rights holders who have a real right (mortgage, land charge, usufruct, right of pre-emption) to the dominant property.

## Ansprechpunkt

If you want to find out exactly who is responsible for your request, please follow the link to

Hamburg Service

## Zuständige Stelle

Hamburg District Court

## Formulare

## Ursprungsportal

Hamburg Service, Hamburg Service (Currently this link is only available in german)