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LINEAR OBJECTS AS REAL ESTATE OBJECTS: LEGISLATIVE APPROACHES OF RUSSIA AND FOREIGN COUNTRIES

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ABSTRACT

The purpose of the study is to theoretically develop the problem of attributing linear objects to real estate objects. To achieve this goal, a comprehensive analysis of Russian and foreign legislation was carried out in the framework of relations with linear facilities. At the same time, special attention is paid to the concepts and approaches related to the classification of linear objects as real estate objects in Russian law and in the countries of the Anglo-Saxon and Romano-Germanic legal systems. Considering the civil legislation of Germany, Russia, the USA and France, the authors concluded that there are no unified definitions of the concepts of "linear object" and "real estate"; only a listing of their types has been established. However, the declared concept can be identified based on the definition of the characteristics of real estate in these countries. In this regard, it can be argued that each country has its own understanding in assessing the concept of «linear object» and its attribution to real estate objects.

Key words: linear objects, real estate, movables, easement, land plot.