RIGHTS AND ENCUMBRANCES

Grundbuch, Baulasten, charges

Clarify first

Statements you should have before the Beurkundung.

SECURE THE ACCESS IN LAW

On its south-west side the plot borders plot 1968 for 22.5 m, which ALKIS (the official cadastre) records as road land; Buchenweg runs on it to the road plots 1752 and 1679. Whether 1968 is dedicated as a public road (Widmung) the cadastre does not show. **What to do:** Ask the Gemeinde about the dedication (Widmung); if there is none, ask for a right of way in the Grundbuch (section II) before the Beurkundung (notarisation of the contract). Whether a building permit also needs a public-law guarantee is for the Bauaufsicht to say.

Source: ALKIS NRW (use of the neighbouring plots)

GRUNDBUCH (LAND REGISTER) NOT AVAILABLE

Section (Abteilung) II shows rights of third parties (right of way, pipe and cable rights), section III land charges. **What to do:** Request a current extract through the notary.

Source: Amtsgericht (local court), Grundbuchamt

BAULASTENVERZEICHNIS (REGISTER OF PUBLIC-LAW EASEMENTS) NOT AVAILABLE

Baulasten are not in the Grundbuch and pass to the buyer. **What to do:** Apply for a statement with the owner's written authority.

Source: Building authority (Stadt Brühl)

DEVELOPMENT CHARGES: ANLIEGERBESCHEINIGUNG MISSING

Shows whether the charges for road, water and sewage have been paid. **What to do:** Request it before the notary appointment.

Source: Stadt Brühl

Amtsgericht; Rhein-Erft-Kreis; Stadt Brühl

BEFORE THE NOTARY APPOINTMENT

Questions for seller and offices

For context

Ask in writing. A written answer helps if a dispute comes later.

For the seller

When were the roof, heating, pipes and windows last renewed? Are there invoices? This report cannot see the state of the house; these items decide the costs of the first years. invoices, building file

Which heating is installed, from which year, and what does the last chimney sweep's report say? After a change of owner the Gebäudemodernisierungsgesetz can trigger duties, and an old boiler soon becomes a cost. report, boiler plate

May we see the energy certificate? Request the current energy certificate for the viewing and match it to the actual building; resolve missing evidence with an energy adviser before signing. energy certificate

Are all extensions, garages and converted rooms approved? A missing permit passes to you with the house. building file, permit

Is all or part of the house let? Are there leases, rights of residence or spoken promises? Obtain all leases, amendments and deposit records; ask the notary to clarify the effect of the ownership change on each agreement. lease

Are there lead or old steel pipes, an oil tank, or asbestos in the roof or façade? Removal and disposal are expensive and rarely priced in. written answer

Which defects do you know of, including those that cannot be seen? Record known defects and earlier damage in writing; ask the notary to explain liability clauses and the effect of incomplete disclosures in the draft contract. statement in the contract

Which company insures the house, against which perils, and have there been claims? Have the insurer and seller confirm coverage, the transition date and required notices in writing; resolve any coverage gap before handover. policy, claims list

Has heavy rain ever left water in the cellar, the yard or along the boundary? Heavy rain does not follow river maps; only someone who lives there knows. written answer

Have there been disputes with neighbours over the boundary, trees, access or an encroachment? 5 neighbour records were supplied. Full geometric boundary coverage; not an official survey. written answer

For town and district

Does a development freeze, a redevelopment area or a preservation statute apply to plot 2550? A development freeze prohibits covered works, subject to exceptions (§ 14 BauGB); check approvals under §§ 144, 172 BauGB. Gemeinde, planning office

Is a planning procedure under way for this location? While a plan is being drawn up, a project can already be approved on conditions under the future plan (§ 33 BauGB). Gemeinde, planning office

Which other statutes apply: parking, design, trees, fencing? They are on no map service and change what you may build or fell. Gemeinde

Are the local rate and the assessed value of this plot known? Check contractual cost allocation from handover separately from tax liability to the municipality. property tax notice

Compiled from this report. Not legal advice.; Compiled from this report. Not legal advice.

BEFORE THE NOTARY APPOINTMENT

Questions for the notary (1/2)

For context

Send questions about the draft contract to the notary before the appointment.

QUESTION	WHY HERE	ANSWER IS IN
Will I get the draft contract at least two weeks before the appointment?	If you buy as a consumer from a business, that is the rule (§ 17(2a) BeurkG, Notarisation Act). In a private sale the period does not apply; ask for it anyway.	draft contract
Will a priority notice be registered before I pay?	It protects your claim to ownership against later entries.	notice that payment is due
What is in sections II and III of the Grundbuch (land register), and what will be deleted?	Otherwise third-party rights remain; this report cannot read the Grundbuch.	Grundbuch extract
Has the Gemeinde waived its right of first refusal?	Normally needed before registration (§ 28(1) BauGB). Not required if an unrevoked general waiver covers the area (§ 28(5)); ask the notary.	certificate of waiver
Who pays development and connection charges billed after the purchase?	Confirm the liable person and relevant date with the municipality: § 134 BauGB. Connection charges follow Land law; agree internal cost allocation in the contract.	contract clause, Anliegerbescheinigung
Are all promises from the brochure and the talks written into the contract?	What is not notarised the seller generally does not owe.	draft contract

Questions for the notary (2/2)

Send questions about the draft contract to the notary before the appointment.

QUESTION	WHY HERE	ANSWER IS IN
On which day do possession, benefits and burdens pass?	Check benefits, burdens and risk under the contract; private tax allocation does not change statutory tax liability.	contract clause
Should the kitchen and furniture go into the contract at their own price?	List the inventory and individual prices; ask a tax adviser to clarify their tax treatment before signing.	inventory
How is the bank secured, and may I create the land charge before the transfer?	This is usually done through a charging authority in the purchase contract; the notary sets out the details.	contract clause
The contract will be read out in German. Do I need an interpreter?	If you do not speak German well enough, the notary must arrange for a translation (§ 16 BeurkG).	minutes of the appointment

Compiled from this report. Not legal advice.

CHECK YOURSELF

Reading the Grundbuch

For context

The Grundbuch is not public, which is why it is not in this report.

ITEM	WHAT IT MEANS FOR YOU	WHAT TO DO
Inventory (Bestandsverzeichnis)	Names the Gemarkung, plot and size. Plot 2550 must appear here, or you are buying something other than this report covers.	Compare with the listing and the contract. Check several plots and the driveway one by one.
Section I	The registered owner. Have the notary check authority or succession evidence, such as a power of attorney, inheritance certificate, European Certificate of Succession or public will with opening record.	Compare the name with the seller.
Section II	Third-party rights: right of way, pipe rights, right of residence, usufruct, pre-emption, Erbbaurecht. Most of them survive the sale.	Have the notary explain each entry and read the grant in the land-register file.
Section III	Land charges and mortgages may secure loans or remain without an outstanding debt. Charges not assumed by the buyer need discharge under the contract.	Before payment is due, the notary must secure the agreed discharge; deletion may follow repayment from the purchase price.
Who may look	Only someone with a legitimate interest may look (§ 12 GBO, Land Register Act). It is not a public map.	Ask the seller for a current extract or get it through the notary. Responsible office: Amtsgericht Brühl · Balthasar-Neumann-Platz 3, 50321 Brühl · 02232 709-0 · ag-bruehl.nrw.de.

Freehold or Erbbaurecht

How to recognise it. An Erbbaurecht has its own register sheet, the Erbbaugrundbuch (§ 14 ErbbauRG). You then buy the house, not the land. Check the listing and the Grundbuch. This report cannot see it.

Ground rent. A recurring payment to the landowner (§ 9 ErbbauRG), often with an adjustment clause. Read the amount, last adjustment and clause in the Erbbaurecht contract.

Remaining term. Expiry generally triggers compensation for the building; amount or exclusion follows the contract (§ 27(1) ErbbauRG). Subsection 2 protects only rights created for low-income housing needs. Clear the end date and compensation before negotiating the price. Banks look at this.

Consent. Often the sale or a land charge needs the landowner's consent (§ 5 ErbbauRG). Get consent early, or financing stalls.

Reversion (Heimfall). The contract can provide that the right returns to the landowner on certain events (§ 2 no. 4 ErbbauRG). Have the notary explain the events.

§ 12 GBO; as of 5 Nov 2026; ErbbauRG; as of 5 Nov 2026

CHECK YOURSELF

Baulasten

For context

Many foreign buyers overlook this register.

ITEM	WHAT IT MEANS FOR YOU	WHAT TO DO
What it is	A public-law duty of the owner towards the building authority. It is not in the Grundbuch and passes to the buyer.	Do not rely on the Grundbuch extract: check both registers.
Boundary clearances	A neighbour may build closer to the boundary because your plot takes over the clearance. Permitted use depends on Land law and the recorded obligation; specified structures may be allowed.	Have the area marked on the site plan.
Access, parking, pipes	Your plot may have to tolerate access, parking spaces or pipes for a neighbouring house.	Check whether this limits what you plan.
Where to ask	The contact for a statement is Building authority (Stadt Brühl). Access normally needs a legitimate interest.	Apply in writing with the owner's authority. Have the answer before the notary appointment.

Contamination statement

No entry in a public service does not mean the soil is clean.

ITEM	WHAT IT MEANS FOR YOU	WHAT TO DO
Why it concerns you	The landowner, not only the polluter, is liable for clean-up (§ 4(3) BBodSchG, Federal Soil Protection Act).	Clear this before buying. Afterwards you are the owner.
Where to ask	The lower soil protection authority (Rhein-Erft-Kreis) keeps the register. Many entries are not on a public map.	Apply for an Altlastenauskunft quoting the plot, often with the owner's authority.
Past use	Filling station, workshop, laundry, coal yard, tip or nursery are the usual warning signs. An empty register only means nothing is recorded.	Ask the seller and neighbours; look at old aerial photos and the building file.
Oil tank	A disused buried tank stays in the ground and may be a source of contamination.	Ask for the decommissioning record.
In the contract	The usual exclusion of liability can also cover contamination.	If in doubt: a soil survey before notarisation and a separate clause in the contract.

Building code of the Land; as of 5 Nov 2026 · § 4 BBodSchG

CHECK YOURSELF

What you may build

For context

There are three regimes. In the end the building authority decides which applies.

ITEM	WHAT IT MEANS FOR YOU	WHAT TO DO
Development plan (§ 30 BauGB)	The plan decides what may be built. The register read contains no plan covering this plot; the municipality must confirm the legal position.	Request the plan and its reasons from Stadt Brühl, including plans that are not online.
Built-up area, no plan (§ 34 BauGB)	Default rule: fitting in and secured access/services (§ 34(1)). Housing exceptions (§ 34(3a)/(3b); temporary § 246e until end of 2030, municipal consent) need separate assessment.	Do not judge from the neighbouring house: the back of a garden often cannot be built on.
Outside the built-up area (§ 35 BauGB)	Mainly privileged projects such as farming are allowed. A new house is usually not possible here.	If the plot is on the edge, ask the building authority in writing.
Preliminary enquiry	A preliminary decision settles a single question bindingly, for example whether a second house or an extension is allowed.	File it before buying, or make the contract depend on it, if the price rests on what can be built.

The building file

Whatever is not approved passes to you with the property.

ITEM	WHAT IT MEANS FOR YOU	WHAT TO DO
Where it is kept	At the lower building authority (Stadt Brühl), older files partly in the Gemeinde archive.	Apply with the owner's authority.
Plan and reality	The permit covers what is on the plan. If the layout, an extension or the garage differ, that part may not be approved.	Walk through the house with the approved plans.
Attic and basement	Space advertised as living space is not always approved as such. That changes the value and the floor area.	Read the approved use in the permit.
Final inspection	Without the record, it is often impossible to show that the house was finished as approved.	Ask for the final inspection or completion notice.

§§ 30, 34, 35 BauGB; as of 5 Nov 2026 · Stadt Brühl

CHECK YOURSELF

Development charges

For context

A bill from the Gemeinde can come years later, and it goes to the owner.

ITEM	WHAT IT MEANS FOR YOU	WHAT TO DO
Development charge	The municipality apportions road, pavement and lighting costs under the applicable contribution law. Section 129 BauGB sets a municipal share of at least 10% unless Land law differs; the municipality confirms its local bylaw.	Ask Stadt Brühl about open and planned charges.
Who gets the notice	Ask the municipality to confirm the liable person and relevant ownership date: § 134 BauGB. Check heritable-building rights and exceptions separately.	Get the Anliegerbescheinigung before the notary appointment.
Seller or buyer	Unless agreed otherwise, the seller bears charges for works physically begun by the contract date (§ 436 BGB). Towards the Gemeinde, though, the charges law counts; the owner is usually liable.	Settle in the contract who pays, and hold back a sum if anything is open.
Connections and road renewal	NRW prohibits road-improvement charges for works decided from 1 Jan 2024 (§§ 8, 26 KAG NRW). Eligible older works decided from 1 Jan 2018 may receive 100% relief where charges are not yet final (NRW funding directive). Pre-2018 decisions follow the former law. Ask the municipality about the decision, notice and funding; first-time development, water and sewage charges remain possible.	Ask even for an old house: paid is not a given.
Really connected?	A connection in the listing says nothing about your own pipe, cesspit or small treatment plant.	Ask the utility and the sewage operator.

Evidence for this parcel

For plot 2550 (842 m²), request a current Anliegerbescheinigung from Stadt Brühl. Ask it to distinguish works already billed, outstanding amounts and announced projects. A seller's receipt for an earlier scheme does not establish that every charge is settled.

§§ 127–135 BauGB; § 436 BGB; § 8 KAG NRW; reviewed 15 Nov 2026

CHECK YOURSELF

Heating, insulation, asbestos

For context

Statutory duties fall on the owner, which after the sale means you.

ITEM	WHAT IT MEANS FOR YOU	WHAT TO DO
Old boiler	Obtain the installation year, boiler type, servicing and inspection records. Ask an energy adviser and chimney sweep which current requirements apply to this specific appliance.	Have its condition and likely costs assessed; base any replacement budget on the actual appliance and inspection.
New gas or oil heating	If installed after 29 July 2026, part of the heat must come from biomethane, bio-oil or similar: 10% from 2029, 15% from 2030, 30% from 2035, 60% from 2040. Solar thermal, ventilation with heat recovery or a hybrid heat pump can also meet the duty, on conditions (§ 43 GModG). If a heating system fails beyond repair, transitional periods apply; § 43 GModG sets out the details.	Put fuel prices for these steps into your costs and compare alternatives.
Top-floor ceiling	§ 35(1) GModG concerns top-floor ceilings below the minimum thermal protection in DIN 4108-2:2013-02, in buildings heated to at least 19 °C for at least four months a year. The general target is then U ≤ 0.24 W/m²K. The two-year period under § 35(3) requires no more than two flats and one occupied by its owner on 1 February 2002; it starts at the first ownership transfer after that date. An adequately insulated roof can fulfil the duty; check the exception under subsection (4).	Ask an energy adviser whether the duty applies and whether the insulation pays back (§ 35(4)).
Heating pipes	Accessible, previously uninsulated heat-distribution and hot-water pipes outside heated rooms fall under § 69(2) GModG. The two-year period under subsections (3)–(4) requires no more than two flats and owner occupation on 1 February 2002; it starts at the first ownership transfer after that date.	Look in the basement and loft.
Asbestos	Establish the construction start, materials and earlier alterations. Have suspect roof sheets, façades, flooring, pipes and adhesives assessed before disturbing them.	Ask when building actually began. In older parts, have materials tested before alterations or drilling.

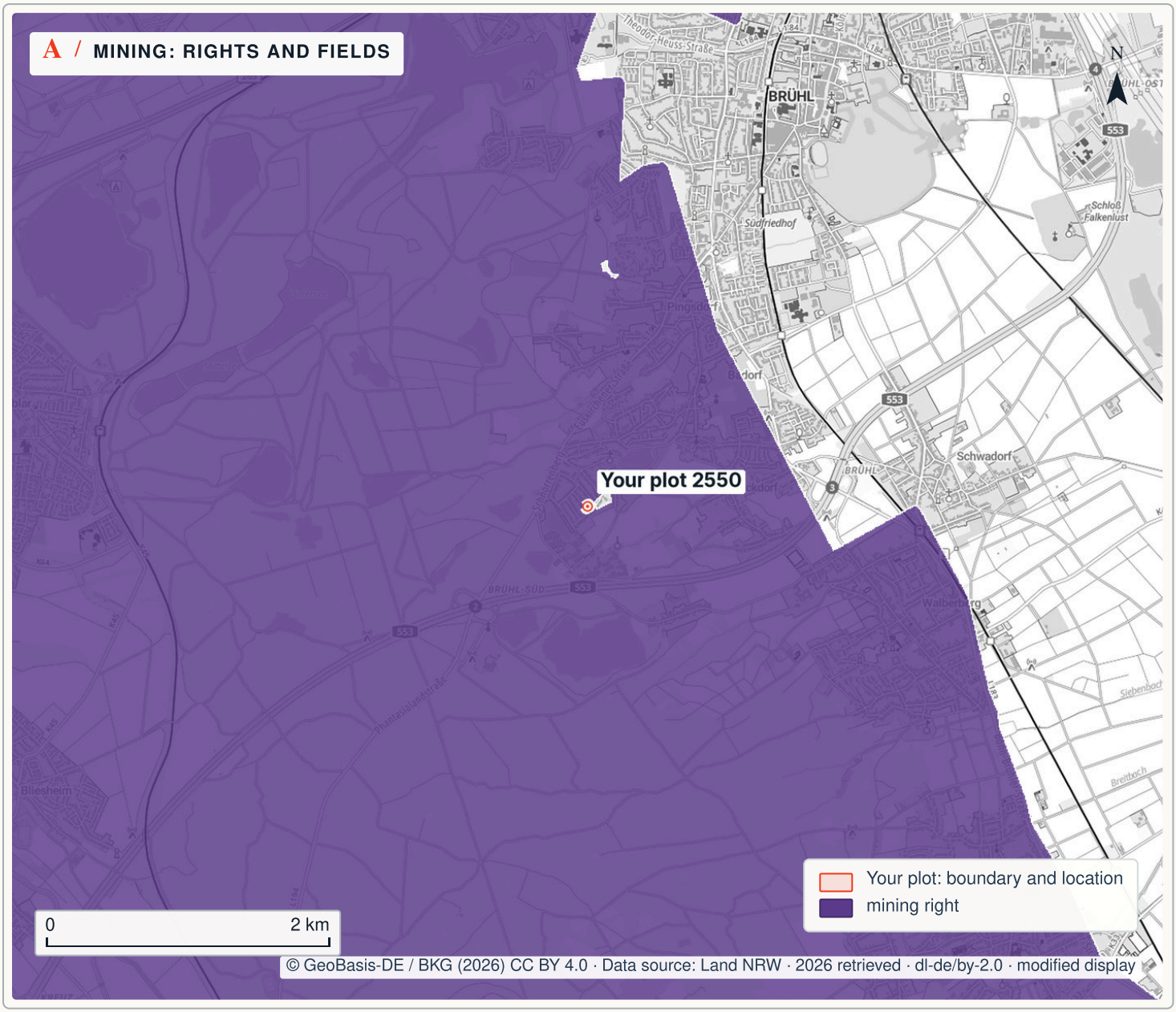
What the building map cannot establish

The mapped building footprint is 115.56 m². It establishes neither heated floor area nor the age of the heating system. For this house, request the equipment plate, servicing records, chimney-sweep report and the last three annual energy bills. Have an energy adviser use them to establish condition and the cost of necessary works.

GModG in force since 29 July 2026, BGBl. 2026 I No. 226; German Environment Agency on asbestos

Mining: rights and fields

Mapped mining rights around the plot.



- Source scale: **state data**
- Read for this order: **16 Nov 2026**
- Frame width: **8 km**

WHAT IT MEANS FOR YOUR PLOT

- Mining field at the plot: Berggeist I.
- Ask the mining authority about current or historic workings beneath the parcel; a resource or rights area does not prove active extraction.

SOURCES AND LIMITS Data source: Land NRW · 2026 retrieved · dl-de/by-2.0 · modified display · 16 Nov 2026

CHECKED

Further checks and their limits

For context

Left: the source answered and nothing is recorded in the frame. Right: the source does not assess this spot. These are different results.

Checked, nothing found

SUBJECT	RESULT AND SOURCE
Railway noise, day-evening-night	No railway noise band is mapped in the frame. This does not establish a quiet location. EBA
Railway noise at night	No railway noise band is mapped in the frame. This does not establish a quiet location. EBA
Near-surface mineral resources	KOR250 (BGR), 12 km frame: no feature polygon returned. The separate BSK1000 overview covers a different dataset and scale. This does not assess mining rights or historic workings. BGR
Noise from industry and commerce	The state service records no industrial noise here. LANUK NRW, noise mapping Stufe 4
Aircraft noise, whole day (Lden)	The map shows no aircraft noise band at the plot. LANUK NRW, noise mapping Stufe 4
Bird protection areas	No area in the checked map extent (about 12.0 km wide). BfN
National parks	No area in the checked map extent (about 12.0 km wide). BfN
Biosphere reserves	No area in the checked map extent (about 12.0 km wide). BfN
National natural monuments	No area in the checked map extent (about 12.0 km wide). BfN

Not assessed by the source

SUBJECT	RESULT AND SOURCE
Topsoil texture	The source does not assess this spot. That is not an all-clear. BGR
Water storage in the upper metre of soil	The source does not assess this spot. That is not an all-clear. BGR
Plant-available soil water	The source does not assess this spot. That is not an all-clear. BGR
Groundwater influence in soils	The source does not assess this spot. That is not an all-clear. BGR
Rootable soil depth	The source does not assess this spot. That is not an all-clear. BGR
Topsoil organic matter	The source does not assess this spot. That is not an all-clear. BGR
Soil loss by water	The source does not assess this spot. That is not an all-clear. BGR
Soil yield potential	The source does not assess this spot. That is not an all-clear. BGR

Read for this order · 16 Nov 2026; Read for this order · 16 Nov 2026