



L'ATTUALITÀ DEL DIRITTO

Serie coordinata da Giuseppe Cassano

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(a cura di)

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problematiche giuridiche e processuali in materia di acquisto della proprietà mediante l'istituto dell'usucapione. Ogni capitolo si apre con i PRINCIPI giuridici a fondamento degli argomenti trattati segue il sommario del commento e la sezione CASISTICA dove si indicano alcune fattispecie concrete. Il COMMENTO strutturato con un intercalare di riferimenti sia giurisprudenziali che dottrinali a sostegno di quanto viene esposto. Si trattano argomenti quali ad esempio la TRASCRIVIBILITÀ delle domande che interrompono l'usucapione di beni immobili la SOSPENSIONE dei termini utili per conseguire l'usucapione l'animus possidendi la DETENZIONE la tolleranza nei casi di SERVITÙ. Vengono affrontati anche tutti gli ASPETTI PROCESSUALI come ad esempio la procedura specifica per il riconoscimento della proprietà basata sull'usucapione speciale ex articolo 1159 bis c.c. i rapporti processuali tra usucapione ordinaria e abbreviata la proposizione in appello dell'usucapione abbreviata Usucapione ed abusività edilizia dei manufatti Responsabilità e trascrizione Usucapione e sistema tabolare Le servitù non apparenti non possono essere acquistate per usucapione La servitù avente ad oggetto il mantenimento di una costruzione o piantagione a distanza inferiore a quella legale La servitù di elettrodotto La servitù di acquedotto La servitù di luce L'usucapione del diritto di enfiteusi L'usucapione dei diritti reali d'uso ed abitazione L'usucapione del diritto di custodire in un sepolcro familiare i resti mortali di congiunti c.d. diritto al sepolcro L'usucapione del diritto di stillicidio L'usucapione del diritto di servitù di parcheggio L'usucapione del diritto di servitù di riscaldamento L'usucapione del diritto di servitù di passaggio di conduttura Il comproprietario può usucapire la quota degli altri comproprietari L'usucapione dei beni mobili iscritti in pubblici registri Usucapione immobiliare abbreviata Accessione del possesso e usucapione decennale La procedura specifica per il riconoscimento della proprietà basata sull'usucapione speciale Universalità di mobili e beni mobili iscritti in pubblici registri Responsabilità tra possesso e detenzione Responsabilità e altrui tolleranza Tolleranza e servitù di passaggio La successione nel possesso L'accessione nel possesso Il rimborso delle spese conseguenti a riparazioni Indennità per miglioramenti apportati

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