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Notice of an auction for an immovable in enforcement proceedings

Public from: 27.09.2024

Public until: until the end of the enforcement procedure or the end of the validity of the sales advertisement, but no longer than 1 year

Kohtutäitur Elin Vilippus publishes this announcement under [Subsection 2 of § 153 of the Code of Enforcement Procedure \(TMS\)](#).

The bailiff sell the following assets in a <https://www.oksjonikeskus.ee> in the auction environment of the Chamber of bailiffs and trustees in bankruptcy electronic auction:

1-room apartment property owned by Enn Laansoo located in Turku Plats 3-17, Rakvere

Apartment ownership is entered in the register part of the land registry department of Tartu County Court No 3989831 (cadastral code 66301:008:0018) 50% of commercial land, 50% of residential land, Lääne-Viru County, Rakvere city, market site 3.

411/27590 a meaningful part of the immovable and dwelling No 17 of the object of special ownership, the total area of which is 41,10 m² and the designation of which in the plan is 17. Other apartment ownerships of the same immovable property No 3988231, 3988331, 3988431, 3988531, [?], 4279931, 4280031, 4280131. The object and content of the special ownership pursuant to the Special ownership Agreement of 9.03.2006 and the building distribution plan which forms part thereof.

Area of immovable property 1118.0 m².

1-room apartment, 4 th floor.

The rights established by third parties together with their rankings and other restrictions on immovable property ownership encumber the apartment ownership belonging to the debtor:

In Section III, entry No 1 - real servitude for the benefit of each owner of registered immovable No 52331. A road servitude for access to the car park with reference to the real right agreement of 17.05.2005.

In Section III, entry No 2 - real servitude for the benefit of each owner of registered immovable No 3793031. Road servitude with reference to the Law of property Agreement of 07.09.2005 and the plan annexed to the Agreement.

In Division III, entry 3 - personal right of use for establishment of utility network or installation in favour of Elektrilevi OÜ (registry code 11050857).

In Division III, entry No 4 - prohibition notation to prohibit disposal of immovable in favour of bailiff Elin Vilippus as LHV bank (registry code 10539549).

In Section IV, under entry No 1 - mortgage in the amount of EEK 842 000.00 in favour of Luminor Bank AS (registry code 11315936). Every owner of a registered immovable is required to submit to immediate compulsory enforcement in order to satisfy a claim secured by a mortgage.

In Division IV, under entry No 2 - mortgage in the amount of 40,000,00 euros in favour of Estonian heating Project OÜ (registry code 12129584). Every owner of a registered immovable is required to submit to immediate compulsory enforcement in order to satisfy a claim secured by a mortgage.

An auction shall be conducted to satisfy a claim secured by a prohibition notation. A prohibition notation encumbering apartment ownership shall be deleted after a successful auction.

Mortgages encumbering the immovable in the amount of 842 000.00 kroons IN favour of Luminor Bank

AS (registry code 11315936) and in the amount of 40 000.00 euros in favour OF Estonian heating Project OÜ (registry code 12129584) REMAIN ENCUMBERED WITH APARTMENT OWNERSHIP after SUCCESSFUL AUCTION!!!

According to a reply from mortgagee Luminor Bank AS, the mortgage-backed claim amounted to eur 20 211.76 as of 15.08.2024. the claim is not final and may change over time - both decrease and increase!!! According to the response received from the mortgagee Eesti soojusprojekt OÜ, the mortgage-backed claim amounted to 34,373 euros as of 12.09.2024. the claim is not final and may change over time - both decrease and increase!!!

Pursuant to subsection 346 (1) of the Law of property Act, a claim, interest (including default interest) up to three years before the sale of the immovable in enforcement proceedings, as well as the costs of collection of the debt, including the costs of enforcement proceedings and the fees of the executor and the insurance premiums paid by the mortgagee for the owner of the immovable, are secured to the extent of the mortgage amount.

Pursuant to subsection 43 (2) of the apartment ownership and apartment associations Act, which entered into force on 01.01.2018, upon transfer of apartment ownership in enforcement proceedings, the acquirer is not liable to the apartment association for the obligations arising from the transferor's apartment ownership which have become chargeable.

In order to secure claims arising from apartment ownership, an apartment association has the right of security over apartment ownership (hereinafter right of security of apartment association) pursuant to subsection 44 (1) of the apartment ownership and apartment associations Act. Pursuant to subsection (2), the provisions of law concerning mortgages ranked first apply to the right of security of apartment associations. In accordance with paragraph 158(3) of THE TMS, the rights in the ranking behind the claim in execution are extinguished by declaring the offer to be the best. A right entered in the land register which belongs to a claimant and the claim arising from which a claim for payment was made is also deemed to be extinguished.

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Opening price: 20 000 EUR(s). MORTGAGES REMAIN A BURDEN ON PROPERTY!!!.

Proprietor: Enn Laansoo (national identification 38105220280) .

To participate in an auction, you must register in the auction environment on the asset page specified in this notice with a permanent link to: <https://www.oksjonikeskus.ee/oksjon/view/?okid=85379> and to pay a deposit of eur 2 000 to Elin Vilippus current account No EE321010011610228222 (SEB). Payment statement: 'Deposit 22.10.2024 12:00 for participating in auction ID85379. Real estate: market Square 3, Rakvere City, West Viru County.' A deposit shall be deemed to have been paid as of the moment of receipt thereof. The deposit must have been received no later than 22.10.2024 at 12:00. Subsequent receipts will not be counted. The deposit paid by the buyer shall be included in the purchase price and returned to the other participants in the auction on the working day following the day of the auction.

Registration in the auction begin on 27.09.2024 at 22:00 and ends on 22.10.2024 at 12:00.

A person be registered as an auction participant if the application for registration and the necessary annexes to the application meet the conditions for the auction , deposit paid and the person may participate in the auction as a bidder.

The auction starts on 22.10.2024 at 14:00 and ends on 29.10.2024 at 14:00. The interval for the prolonged end is 5 minute(s).

The bid step for auctions be 100 EUR(s).

Bids can only be made in the auction environment according to the conditions indicated in the auction environment.

The winner of an electronic auction pay the purchase price on the working day following the day on which the auction ends, as pursuant to [§93\(3\) of TMS](#). If the purchase price exceeds EUR 12 700, the auction winner must pay one tenth of the purchase price immediately after the end of the auction, the remaining price having to be paid within 15 days.

THE RIGHTS OF THIRD PARTIES

Before the start of the auction, the person must inform the bailiff of his or her rights to the thing to be sold if it have not yet been notified to the bailiff, and the reasons for those rights should be given at the request of the bailiff. Persons holding rights which impede the auctioning shall, in agreement with the claimant or on the basis of a court decision, obtain the termination or suspension of the auctions before the day on which the result is distributed.

EXAMINATION OF THE ASSETS. ADDITIONAL INFO

If you have any questions, please call the bailiff's office at 684 0620 or send a letter to the kinnisvara.vilippus@tatur.vilippus.ee or bailiff's assistant Sergei Volf 514 0382, sergei.volf@taturiabi.vilippus.ee

Examination of the immovable shall be subject to pre-registration.
Proceeding no: 022/2024/4275

Kohtutäitur Elin Vilippus
A. Lauteri 5, 10114 Tallinn
Phone: 6840620
E-mail: elinvilippus.buroo@tatur.vilippus.ee

Publisher's contacts
esindaja SERGEI VOLF
Phone: 6840620
E-mail: elinvilippus.buroo@tatur.vilippus.ee

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