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Notice of an auction for an immovable in bankruptcy proceedings

Public from: 18.06.2025

Public until: until the end of bankruptcy proceedings or the end of the validity of the sale announcement, but no longer than 1 year

Andrus Valdmaa (national identification 37705254936) pankrotihaldur Andrias Palmits publishes this announcement under [Subsection 1 of § 136 of the Bankruptcy Act \(PankrS\) and subsection 2 of § 153 of the Code of Enforcement Procedure \(TMS\)](#).

The bankruptcy trustee, in the public electronic auction, sell <https://www.oksjonikeskus.ee> in the auction environment of the Chamber of bailiffs and bankruptcy administrators assets in bankruptcy: Preedinurme property in Kauda village in Peipsiääre Parish, Tartu County.

According to the land register, the area of the registered immovable is 45985 m² and the registered immovable is 100% profit-making land for its intended purpose.

Andrus Valdmaa (personal identification code 37705254936) is entered in the second (II) section of the land register as owner.

The following are entered in the third (III) section of the land register:

- 1) Personal right of use for the establishment of a utility network or installation in favour of Elektrilevi OÜ (registry code 11050857). The right of use to be transferred for an unspecified term for the construction, possession and management of electrical installations - an electric overhead line with a joint installation of 15 kV and 0.4 kV and a scale station - pursuant to clauses 3.3. - 3.6) and clause 4) of the contract of 15.04.2004 and the plan annexed to the contract free of charge until 31.12.2008, starting from 01.01.2009 for a fee in accordance with the size and procedure prescribed by law; content of the personal right of use as amended by the contract of 19.06.2007 (clause 2.1), new location of electrical installations on the plan annexed to the contract of 19.06.2007 (replaces the previous plan). Entered in register part No 2760804 on 28.04.2004, transferred here upon division (entry No 1);
- 2) Personal right of use for the establishment of a utility network or installation in favour of Elektrilevi OÜ (registry code 11050857). The right of use for an unspecified term and transferable for the construction, possession and management of an electrical installation for a fee according to the size and procedure prescribed by law pursuant to clauses three (3), four (4) and five (5) of 27.10.2011.a. contract and the plan annexed to the contract. Entered in register part No 2760804 on 11.11.2011, transferred here upon division (entry No 2);
- 3) Personal right of use in favour of Elektrilevi OÜ (registry code 11050857). A personal right of use for an unspecified term and transferable pursuant to § 158¹ of the Law of property Act for the construction, management and possession of an electrical installation within the protection zone of the electrical installation for a fee according to the size and procedure prescribed in legislation in accordance with 30.05.2022 (entry No 3);
- 4) A notation concerning the declaration of bankruptcy of the owner of the registered immovable (entry No 7).

The following are entered in the fourth (IV) section of the land register:

- 1) Mortgage in the amount of 831 000.00 euros in favour of Coop Pank AS (registry code 10237832). Each owner of the registered immovable is required to submit to immediate compulsory enforcement in order to satisfy the claim secured by the mortgage (entry No 1);
- 2) A mortgage in the amount of 50 000.00 euros in favour of future invest OÜ (registry code 11676835).

Every owner of a registered immovable is required to submit to immediate compulsory enforcement in order to satisfy a claim secured by a mortgage (entry No 2).

In the event of successful auction, a notation concerning the declaration of bankruptcy of the owner of the registered immovable and the mortgage shall be deleted.

The insolvency practitioner sells the property in the factual and legal state it is (as is).

As regards the registered immovable, building permit No 2212271/17670 issued by the municipality of the Peipus Borders for the construction of the solar power plant (i.e. power generation facility, over 100 kW), with the EHR code Building permit No 221393854. The area under construction is 19,600 m², height 3 m. the solar power plant (power generation facility) has been partially constructed but is not connected to the grid. There is no remuneration for the production of electricity. Further possibilities for electricity generation shall be identified by the auction participant himself or herself.

15.07.2024 Solar Wheel OÜ (registry code 14686917) submitted an application to the trustee in bankruptcy to exclude the assets from the bankruptcy estate (§ 123 of the PankrS). Solar Wheel OÜ requests that the following items be excluded from the bankruptcy estate: 1) all cabling and electrical materials supplied to the registered immovable for the solar power plant 2) all distribution centres of the solar power plant delivered to the registered immovable and 3) all land racks delivered to the registered immovable for which ISTELO OÜ (bankrupt, registry code 11263228) has failed to pay Solar Wheel OÜ. 26.09.2024 also submitted an application for the exclusion of similar assets to THE insolvency administrator ISTELO OÜ (in bankruptcy), finding that 36.3% of the land frames on the property (i.e. 2.5 rows of seven rows on the property) are owned by ISTELO OÜ (in bankruptcy).

The mortgagee Coop Pank AS (registry code 10237832) considers that the abovementioned movables have become important parts of the immovable. In the case of a solar park, under paragraph 3(2) of the EHS, it is a building, namely a power generation facility. In accordance with § 38 (2) of the Building Code and Annex 1 of the Building Code, the construction of an electricity generating facility over 100 kW is subject to building permit. However, a construction work, including a construction work, is an essential part of an immovable (subsection 54 (1) of the TSI). However, parts of a construction work that are permanently connected to the construction work are in turn essential parts of the construction work (subsection 55 (1) of the TSI). The solar park has been built on the property on the basis of a valid building permit, which has also been issued for the construction of an electricity generating facility. Regardless of whether the equipment and materials forming part of the solar park belonged to the seller, builder or other third party of the equipment at the time of their installation on the property, those equipment and materials become part of the building after being connected to the property. That follows from paragraph 107(3) of the AOS, which provides that, where a movable is connected to a parcel of land in such a way that he becomes an essential part of the parcel of land, the ownership of the parcel of land extends to the thing connected with the parcel of land.

In the light of the foregoing, by decision of 24.03.2025, the liquidator has rejected the applications of Solar Wheel OÜ and ISTELO OÜ (in bankruptcy) to exclude the assets from the bankruptcy estate and supports the legal position of the mortgagee.

However, it cannot be ruled out that Solar Wheel OÜ and ISTELO OÜ (in bankruptcy) may make a claim (including an action) against the best bidder for recognition of ownership of movables and FOR the recovery of property. Consequently, the trustee in bankruptcy does not give any assurances as to the assets to be sold and the composition thereof, and the parties to the auction are deemed to have been informed of any rights of third parties.

The auctioneer shall bear all costs related to the transfer of ownership of the assets sold, including a state fee.

A trustee in bankruptcy shall hand over ownership of the registered immovable which is the object of the auction to the best bidder who has paid the sale price of the assets and the aforementioned expenses..

Opening price: 428 000 EUR(s). Price does not include and VAT is not added to price.

Proprietor: Andrus Valdmaa (national identification 37705254936) .

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=90654> and to pay a deposit of 10,000 euros to Andrus Valdmaa's current account No. EE477700771003745264 (LHV Bank). Payment statement: "Guarantee money 9.07.2025 13:00 for participating in auction ID90654. Real estate: Preedinurme, Peipsiääre Rural Municipality, Tartu 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 09.07.2025 at 13:00. 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 18.06.2025 at 13:00 and ends on 09.07.2025 at 13:00.

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 10.07.2025 at 13:00 and ends on 18.07.2025 at 13:00. The interval for the prolongedend is 5 minute(s).

The bid step for auctions be 1 000 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 bankruptcy trustee of his or her rights to the thing to be sold if it have not yet been notified to the bankruptcy trustee, and the reasons for those rights should be given at the request of the bankruptcy trustee.

EXAMINATION OF THE ASSETS. ADDITIONAL INFO

Bankruptcy trustee Andrias Palmits, place of business, law firm Palmits and partners, located in Tondi 51, 11316 Tallinn, e-mail andrias.palmits@abpp.ee

Proceeding no: 2-24-7275

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