



## The concept of expropriation in municipalities, problems encountered and solution proposals

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### Abstract

In this study, the concept of "public interest", which is the basic basis of the expropriation work and expropriation work initiated for the solution of property problems, which is one of the biggest problems in the investments planned by local governments, has been defined. The problems arising for the expropriation activities carried out by the Municipalities holding the expropriation authority and the solutions to these problems were proposed. Since expropriation is a method of purchase that allows the transfer of property by the force of law, provided that the public benefit is paid in advance, it contains significant difficulties both for the budgets of the municipalities and for the local voters whose property has been taken away. Within the scope of this study, the common problems related to the expropriation procedures carried out in the municipalities were examined and analyzed in different aspects. According to the analyzes, the results obtained were evaluated by taking into account all the components in the expropriation process. At the end of the study, sustainable solution proposals were put forward for the property problems arising in the planned public investments both in terms of the municipalities and in terms of the rights holders whose property was taken away.

## 1. Introduction

Expropriation is the process of confiscating part or all of the immovable property subject to private ownership in accordance with the public interest for the conduct of a public service by paying the price in advance.

1982 Articles 35 and 46 of the Constitution of the Republic of Turkey According to the Expropriation Law No. 2942, which entered into force on 04.11.1983 based on its articles, the property right, which is inviolable, is made in case it is in public interest and the price is paid in advance. In our country, local governments come to power with elections every five years and aim to confront their voters by realizing the necessary investments that they put forward as a need during this period. The first of the two basic factors confronting the municipalities in the realization of the investments is the resource problem and the second is the property problems in the region where the investment will be made. In the method of acquiring property, which is one of the first predecessors in the realization of investments, the main goal of the administration should be to use public resources in the most efficient way and to minimize the victimization of the citizen.

In this section, the content of the Expropriation Law No. 2942, which is the legal basis of expropriation procedures, is mentioned and then the concept of public benefit, which is the purpose of expropriation process, is explained.

## 1.1. Expropriation law

The first constitutional regulation of the concept of expropriation was realized with the Constitution of 1924. Article 74 of the 1924 Constitution In the article, the power of expropriation is granted to administrative administrations. Accordingly, the administrations have the right to expropriate the immovable properties subject to private ownership in accordance with the principle of advance payment based on real value.

In 1939, the Municipal Confiscation Law No. 3710 entered into force and, as the name suggests, the transactions to be carried out by the municipalities based on their expropriation powers were reconsidered. This law was followed by the Expropriation Law No. 6830, which was adopted in 1956 and amended in 1960, and the scope of expropriation was expanded with the said legal regulation [1].

With the 1982 Constitution, the Expropriation Law No. 2942 entered into force. Since 1983, when the Expropriation Law No. 2942 entered into force, many changes and revisions have been made. The most important and comprehensive of the amendments made are some of the amendments introduced by the Law No. 4650 dated 5.5.2001. The laws that are the basis for expropriation procedures in our country and the dates of their stay in force are as shown in Table 1.

**Table 1.** Expropriation laws and effective dates

Sequence	Law Name	Effective Date
1	Municipal Confiscation Law No. 3710	(From 14.07.1939 to 08.10.1956)
2	Confiscation Law No. 6830	(From 08.10.1956 to 08.11.1983)
3	Expropriation Law No. 2942	(08.11.1983- In force)

## 1.2. Concept of public interest

The concept of public interest is the purpose of expropriation procedures. The most basic duty of the state is to meet the basic needs of the citizens by observing the fundamental rights and laws of the citizens and to ensure that they lead a peaceful life. How can it be seen as a contradiction that the state can interfere with the property right, which is the foremost of these rights, when it has taken it as its duty to protect the fundamental rights and laws of its citizens. The phenomenon that provides legitimacy to this contrasting situation, which is the basic element of expropriation proceedings and which is seen as a means of limiting the right to property, is the public interest.

In the expropriation applications of the municipalities, the public interest decision is largely provided by the implementation zoning plans. If an immovable property is in a public reinforcement area (school area, social facility area, etc.) in the 1/1000 scale application zoning plan, it is accepted as there is a public interest in transferring that immovable to public ownership [2].

Municipalities shall take an expropriation decision including a public interest decision from their own Council and this decision shall be approved by the District Governor's Office in the districts and the Governor's Office in the provinces pursuant to Articles 5 and 6 of the Law No. 2942. Together with the approved public interest decision, expropriation procedures are carried out even if the implementation plan is not of a public nature.

## 2. Expropriation procedures in municipalities

Municipalities are public legal entities. For this reason, they can obtain the immovable properties they need to perform as public legal entities by expropriation method.

In this section, after a brief introduction of local governments, the details of the expropriation steps in the municipalities are conveyed.

### 2.1. Local government concept

In the administrative sub-centers whose boundaries are determined by the central government organs, the municipalities whose working procedures and principles have been set forth by the central government organs take office with the majority of regional votes within their existing boundaries and provide public services within the framework of the duties and responsibilities specified in the municipalities law in their regions [3].

Article 3 of the Municipal Law No. 5215 According to the Article, the organs of the Municipality consist of: the Municipal Council, the Municipal Council and the Mayor. The distribution table of the municipalities in our country is as follows.

**Table 2.** Distribution table of municipalities [4]

Type	Number	Ratio (%)
Metropolitan Municipality	30	0.2
Provincial Municipality	51	4
Metropolitan sub-provincial Municipality	519	37
District/county municipality	400	29
Town municipality	397	28
Total	1397	100

## 2.2. Expropriation processes in municipalities

In the expropriation procedures carried out by the municipalities, first of all, an expropriation request must be made by the relevant directorates for the expropriation of the immovable properties belonging to private properties required for the investments whose plans have been approved by the relevant directorate and whose projects are written in accordance with the plan.

A request file to be prepared for the expropriation of immovables that do not constitute a technical objection to the commencement of expropriation procedures (for the allocations of the immovables subject to private ownership in the investment program to their purposes in the plan) shall be referred to the Municipal Council for the expropriation decision in accordance with the paragraph (b) of Article 34 of the Law No. 5393 on the execution of expropriation procedures in accordance with the Expropriation Law No. 2942 with the approval of the expenditure authority. The file examined by the Municipal Council shall decide on the expropriation of the immovables requested to be expropriated in the file as a result of being deemed appropriate.



**Figure 7.** Expropriation Council Decision Case [5]

After this stage, the "public interest decision" and the "expropriation decision", which are the two basic bases of the expropriation procedures to be carried out, are obtained. The transaction to be carried out after the expropriation decision is primarily in accordance with Article 7 of the Law No. 2942 on the declarations of the immovables that have been decided to be expropriated in the deed. It is the processing of the expropriation commentary in accordance with the article. After the processing of the commentary, the relevant expropriation unit issues a notification to the immovable owners inviting them to reconcile in accordance with the procedures and principles of the Notification Law. In the notification made, the information of the immovable property, the information of the expropriation decision taken by the administration and the request of the Administration for reconciliation are expressed.

Prior to the notification, the Appraisal Commission approved by the Presidency of the Republic approved by Article 11 of the Expropriation Law In accordance with the provisions of the article, the values of the immovables to be expropriated shall be determined. Appraisal reports to be prepared are subject to Article 11 of the Expropriation Law. There should be a report in which all the plus and minus aspects of the immovable in accordance with the criteria set out in the article and other legislation are discussed and all the elements affecting the appraisal of the immovable are examined in detail.

If a compromise is reached as a result of negotiations not exceeding the specified price as a result of the notifications made after the appraisal reports prepared by the Municipal Appraisal Commissions are issued, a reconciliation protocol is signed with the immovable owner. With the amendment made by the Law No. 6745 dated 07.09.2016 in the Expropriation Law, the settlements to be made after this date are the declaration of the immovable owner in the deed and the reconciliation minutes signed by the reconciliation commission are sent to the relevant deed and the transactions in the deed are carried out ex officio. As a result of the reconciliation, the registration / abandonment process is made in the deed, the reconciled price is paid to the owners and the expropriated immovable property is allocated to the purpose of the plan.

If there is no return to the notification within 15 days in accordance with the notification law or if no reconciliation can be reached with the immovable property applying to the Municipality pursuant to the notification, a case approval file to be prepared by the expropriation unit and the legal counsels of the Municipalities in accordance with Article 10 of the Law No. 2942 Pursuant to the article, a case of Determination and Registration of Price is opened. As a result of this lawsuit, the amount determined by the experts by the court is blocked by the plaintiff Municipality to the bank and the immovable deed is transferred to the name of the Municipality by court decision. The immovables that have been paid for and registered / abandoned in the name of the Municipality from the title deed are then demolished by clearing them of population and goods if necessary, and their allocation to the purpose of the plan is ensured.

Expropriation; It positively affects the speed of the projects as it ensures the rapid provision of the immovables required for the Municipality investments, especially in projects with a small application area.

Contrary to this advantage of expropriation;

- a) The fact that it is an expensive method,
- b) The budget required for the investment must be ready by law,
- c) Due to the fact that it is an application made without the consent of the land owners lack of a modern approach,
- d) Commencement of the court process in case of failure to reach a reconciliation with the owner's prolongation of the project process due to this,
- e) Due to the division of the parcels that coincide with the project routes by bankruptcy

While its value is decreasing, on the contrary, it is a disadvantageous method due to reasons such as obtaining unfair rent due to the increase in the value of other parcels benefiting from public investment [6].

### **3. Expropriation problems encountered in municipalities**

In terms of municipalities, the following problems are evident in the expropriation processes of immovables subject to private ownership required for their investments where no solution can be found other than expropriation. The main problems encountered in this part of the seminar were collected under subheadings and recommendations were made regarding the determination of the problem and solution suggestions.

#### **3.1. Problems of plans and projects underlying expropriation**

In general, in the expropriation processes where there are problems in the municipalities, the deficiencies and ambiguities in the plans that provide public benefit, which are primarily based on the legitimacy of the expropriation processes, seriously block the expropriation processes. Even if the expropriation processes have started as a result of the inconsistencies in the plans, the differences between the upper scale plan and the lower scale plan, the hesitations in the plan notes, the procedural errors in the plan amendments that were implemented

in a hurry, and the debate on whether the quality of the plan content can be a public quality or not, the expropriation processes are interrupted as a result of the lawsuits filed in the administrative jurisdiction [7].

During the planning and projecting phase of the investments, the actual situation on the ground should be examined to a good level and the property texture in the project area should be analyzed in detail. The implementation area of the project should be shifted to public lands or cadastral spaces, if any. Expropriation in projects that do not coincide with the plans, where the actual situation in the region is not taken into consideration and where the property texture is not examined well leads to a waste of both resources and time. The texture of the property in the project region should be well studied, and after the project, the victimization of expropriation to some people and the situations that will cause rent to some people should be eliminated and the project should be applied to the ground in a fair way. For this reason, if more sensitive behavior is taken in the planning and projecting processes, both the waste of public resources will be prevented and the desired facilities in the expropriation processes will be reached and possible grievances with the property owners will be prevented [8].

### **3.2. Problems arising from authority confusion**

In recent years, many changes have been made regarding the administrative structure in our country. With this change, some investor institutions have been closed. (Village Services, Special Provincial Administrations, etc.) The duties of some institutions have been transferred to the municipalities. Especially after the recent Metropolitan Municipalities Law, the powers of the municipalities have been increased and the investment powers of many investor institutions have been transferred to the Metropolitan Municipalities. In particular, a part of the road networks of KGM, a number of stream reclamations of DSI, some of the investments belonging to the Special Provincial Administration have been transferred to the Municipalities. In the expropriation procedures that these transferred institutions have left incomplete in the past and in the non-expropriation cases currently filed, the courts generally use their discretion against the Municipalities at the decision stage, which in this case creates a significant loss of resources for the Municipalities. In order to keep this situation at a minimum level, municipalities should take over these investments by making a protocol from the transferring institutions in all the investments they take over as clearly stated in this regard.

### **3.3. Appraisal problems**

It is a professional field applied by both the public and private sectors that is needed for public needs such as price determination of immovables, tax calculations, expropriation, nationalization, zoning application, planning, privatization, land regulations and private sector needs such as real estate, construction, capital market, banking, insurance, etc. Due to the increase in immovable capital instruments that have recently increased in our country, the use of objective and scientific approaches in determining the value of immovables is increasing [9].

The frequently used methods in real estate valuation are comparison, income and cost methods, respectively. There are difficulties in the valuation of immovable properties due to the fact that the current economic values in our country are very variable, the tax system does not contain holistic and realistic values, the difficulties experienced in finding precedents, the fact that the building unit costs are of different nature for different areas, etc.

According to the Law No. 4650 and the Expropriation Law No. 2942 as amended; In the 'appraisal' of the expropriation price, the appraisal commission and the experts should examine the elements specified in Article 11 of the Expropriation Law on separate grounds and determine the expropriation price on the basis of these [10].

Article 11 of the Expropriation Law, which regulates the subject, When the article is examined, the issues to be taken into consideration in the valuation of immovable property are as follows;

- a) Breed,
- b) Area,
- c) All the qualities and elements that may affect its value and the value of each element separately,
- d) Tax declaration, if any,
- e) Appraisals made by the official authorities in the history of expropriation,
- f) In the case of lands, the net income to be brought by the immovable property or resource according to the position and conditions on the date of expropriation and if it is used as is,
- g) In the case of land, the sale value according to the exemplary sales that do not have a special purpose before the expropriation day,
- h) In the case of buildings, official unit prices and building cost calculations on the date of expropriation and the depreciation share,
- i) They shall calculate the price of expropriation taking into account other objective measures which shall be effective in determining the price.
- j) Provided that it does not exceed half of the land price determined in accordance with the elements specified in this paragraph and the effect of each measure is explained, other objective measures that will be effective in

determining the price shall be determined on the basis of a reasoned evaluation report in accordance with the valuation standards adopted by the Capital Markets Board by specifying the answers of all these elements separately in the report to be prepared and taking into account the declaration of the persons concerned.

The most problematic part of the expropriation transactions is the disputes about the appreciation price of the immovables to be expropriated. The Appraisal Commissions established in accordance with the Law No. 2942 in the expropriation procedures carried out in the municipalities generally do not have sufficient experience and professional competence for different types of immovable properties that have many aspects to be valued. Commissions are usually selected from among the lowest number and usually from among the top managers stipulated by law. The members of the Commission must be selected from both professionally suitable professions and have a Real Estate Appraisal Specialist license obtained from the CMB. Although the Appraisal Commissions elected in the municipalities are partially sufficient in terms of both professional suitability and license, they usually have shortcomings.

The main problems that arise when determining the price of immovable properties in expropriation transactions are as follows:

- a) Almost no other methods other than the comparison method are used in the valuation of immovables,
- b) Lack of professional competence of the personnel in the Appraisal Commission
- c) Real to pay low fees in the title deed of immovable properties taken as exemplary sales has been sold at a price below the price,
- d) Immovable property owners declare their property tax returns far below their true value in order to pay low taxes,
- e) The existence of low-land share properties as a result of the fact that the shares given from the land are not taken into consideration in the acquisition of real estate by private persons, especially in the purchase of apartments, shops, etc.,
- f) In the expropriation of apartments and shops, the advantages such as landscape, sun, opening, floor altitude, daylight, income generating situations, functional rents, etc. cannot be taken into consideration,
- g) The incompatibility of housing prices and building unit costs with increasing construction costs in recent rotations,
- h) In the communiqué on the approximate unit costs of the building published by the Ministry of Environment and Urbanization on the calculation of the land + building price stipulated by the law in the valuations made for condominium or condominium apartments and shops, one of the most problematic issues during the valuation made by the Appraisal Commissions is that the parameters related to the type and age of the building cannot be accessed in unlicensed buildings

For the problems described regarding the Appraisal mentioned herein, the relevant articles of the Law No. 2942 should be revised to eliminate the problematic issues related to the valuation mentioned above. However, starting from the city centers, a valuation map prepared with real criteria, constantly updated, and to be referenced by all private and legal entities should be prepared and put into use. Street fair prices, which are revised by municipalities at the beginning of each year, must be determined and approved with realistic criteria. In this way, both the collection of taxes on real values is ensured and the fair prices needed for expropriation etc. are realistically obtained from the relevant Municipalities.

### **3.4. Problems with reconciliation processes**

From expropriation processes to reconciliation processes; It is the most important and critical process of expropriation in which the reasons for expropriation are discussed with the property owners and the cost of the immovable property is negotiated. The success of this process is actually the success of all processes. The persuasion of the property owners who are reached within the scope of this process and invited to reconciliation as a result of an official notification is an important gain both for the Municipality that made the expropriation and for the property owners. Property owners come to the settlement negotiations with a number of question marks in their minds. The main question marks in the minds of property owners are [11]:

- a) What is the purpose of expropriation? What will be done for the real estate to be taken from me?
- b) Is there really no alternative but expropriation?
- c) Do I have anything to object to?
- d) What is the real value of our property? What will the administration offer me?
- e) How realistic is the value offered? What is the bargaining share?
- f) What was offered to other immovables within the scope of the project?
- g) Will those who come after me negotiate better and reconcile at a higher price?
- h) What price would be if a lawsuit was filed? Should I not compromise and go to law?

- 1) Is there any possibility to change the zoning status of the expropriated immovable property after the expropriation process?
- i) Is it possible to replace the expropriated immovable with other immovable value in its value?

The only question now remains before the property owners who have received concrete, convincing answers to such questions, in which the settlement is the appropriateness of the price given by the commission. It is up to the person or persons negotiating on behalf of the conciliation commission to convince the property owners that the price here is appropriate, that this price is the right price.

The psychological strain of the owners who have been residing in the expropriated immovables for many years or who have any activity in these immovables is more. Although the material equivalents of the immovables can be established in the reconciliation processes, there is no equivalent of the moral value of the immovable property in the right owners. It is quite difficult to make a compromise with the property owners within these psychologies. It is a necessity for every municipality to find experienced and skilled reconciliation commissioners who can handle this situation.

The other problem area experienced in the settlement is that the transfer of the deceased immovable owner has not been carried out and all kinds of declarations, annotations, mortgages, liens, lien, altitude rights, etc. details in the title deeds of the immovables also disrupt the settlements.

### **3.5. Problems regarding litigation processes**

In the expropriation procedures carried out by the municipalities 8. If the procurement of the immovable property cannot be ensured by applying the purchasing procedures in the article, the competent civil courts for the immovables shall comply with Article 10 of the Expropriation Law. In accordance with the article, they open Price Determination and Registration Cases. After the expropriation fee determined by the Court is deposited in the designated bank, the problems experienced during and before the completion of the registration procedures on behalf of the administration cause the process to be prolonged. While the shortest decision period in expropriation cases is in the range of 1-2 years, there are also court decisions that last a long time (these periods can be up to 7-8 years).

In the prolongation of the court processes, the problems experienced by the courts in forming parties, the objections made to the reports put forward by the experts with unlimited and irresponsible discretionary powers, the overturning of the high courts, etc. are effective. The most important factor that causes the prolongation of the expropriation cases is that the price of the immovable property to be expropriated is determined by the experts appointed by the courts. In the first place, there is no standard and merit in the appointment of expert witnesses.

Instead of the selection of an expert witness in accordance with equity by classifying the expert witnesses registered in the courthouses as expert witnesses by taking the oath of expertise, the expert witnesses known by the court pens are constantly working in similar files.

In order for both municipalities and immovable owners to be less affected by the expropriation litigation processes, the compromise method, which is essential in expropriation, should be forced to the end.

### **3.6. Problems due to lack of a strong archive system**

In order to keep the public damage of the expropriation processes at a minimum level, it is necessary to digitize all archive systems by making use of today's technology. In addition, municipalities also need a dynamic expropriation automation system that will work integrated with digital archive systems.

## **4. Conclusion and recommendations**

Expropriation is an important budget item in terms of public investments, such that some large-scale dam construction, road construction, etc. The expropriation costs paid in the projects are higher than the total construction costs paid for the investment. Expropriation is of economic, social and humanitarian importance for the owners of the expropriated immovables, perhaps more than the importance of expropriation for the public.

The determinations regarding the procedures and principles required for the proper execution of the expropriation processes carried out by the municipalities and the solution proposals regarding the main problems experienced in the expropriation processes discussed in the third part are as follows:

- 1) According to the Expropriation Law No. 2942 in our country, many institutions expropriate based on their investments. However, due to the lack of coordination between institutions, expropriation works of many institutions (TEİAŞ, DSI, KGM, Municipalities, etc.) are encountered in the same region. It would be beneficial to establish a structure in the form of the "General Directorate of Expropriation" that will facilitate and organize the

expropriations of both local governments and all expropriating legal entities on a country basis, and will provide all kinds of technical and administrative support in this regard.

2) Current land registry records should be studied. All details in the land registry records should be examined first.

3) A decision should be requested from the Council of Monuments as to whether there is any objection in the expropriation and demolition of the immovable and in allocating it for the purpose of the plan.

4) Even if the immovables whose foundations are foundations are expropriated pursuant to Article 30 of the Law on Foundations No. 5737, they return to the Foundations free of charge. For this reason, before expropriation, it is necessary to check whether they are included in this scope for immovables that are likely to be foundations.

5) When necessary, a camera recording should be taken during the signature for high-value settlements.

6) The competence of the personnel involved in the expropriation processes carried out by the municipalities is very important. Appointing a sufficient number of dynamic personnel who are well-versed in their subject, have high communication skills, and have a command of the expropriated area will provide the expected efficiency in the expropriation processes.

7) The members of the Value Appraisal Commission and the Reconciliation Commission, which are two critical commissions involved in the expropriation processes of municipalities, should be selected from among the most suitable and these people should be trained both at the point of personal development and at the point of professional development in order to continuously improve themselves.

8) The reason for many problems related to valuation is the inadequacy of the relevant article 11 of the Law No [12].

9) In the reconciliation negotiations, there are serious problems in the reconciliations that are tried to be made only on the land + debris price as stipulated by the law. In particular, the moral bond established by the property owners among the property they own interrupts the expropriation process. In this regard, social, cultural and psychological problems that will arise after the necessary evaluation should be followed by having an expert social worker in the expropriation units, and the owners of the real estate should also be supported in this regard [13].

10) No action can be taken against those who do not own the immovables that are expropriated within the scope of the legislation, and those who engage in commercial activities in the immovables and the tenants who use the immovables as residences. This situation causes serious grievances for tenants. In this regard, an additional revision should be made in the Law No. 2942. Until the revision is made, the Municipalities should support the aggrieved tenants with a moving compensation for such situations only once (transport, renovation, deposit, etc.) with a decision they will take from their own councils, or they should be given time to minimize the victimization of the tenants during the evacuation process.

11) In addition, an implementation regulation of the expropriation law must be enacted. The Expertise Law needs to be changed [14].

12) Establishing and reviewing Expropriation Courts by these courts would be more appropriate for both the public and property owners.

13) Personnel with real estate appraisal expertise should be employed as much as possible in expropriation procedures by municipality administrators.

14) All processes should be managed through a good archive automation system and an automation system integrated into this system. Thus, great convenience will be provided to the administration in the follow-up of the expropriation process.

15) In addition to the immovable valuation methods in valuation, the analyzes made in the GIS field (distance to the city center, proximity to the transportation lines, welfare level of the local people, etc.) will not be overlooked in other criteria for the valuation of immovables [15].

16) Due to the recent increase in housing prices, especially in the expropriations of the land + building, the people residing in the expropriated immovables have a serious housing problem. For this reason, this proposal should be presented to the owners during the expropriation negotiation stage by constructing houses similar to TOKİ with the maximum dimensions to be built in certain parts of the city, especially in municipalities with high population and high budget.

17) In order to minimize the victimization of the immovable owner in the expropriation process, the exchange process should be applied more frequently and another immovable should be given instead of the said immovable.

18) While planning and zoning implementation studies are carried out, public legal entities should be shared instead of real persons in areas that may be subject to expropriation (parking lot, school, social facility, etc.). Making the applications in this way will bring advantages such as reduced expropriation activities, faster implementation of the projects subject to expropriation, and minimizing the grievances that will arise from expropriation [16].



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## **References**

1. Pehlivan, C. (2008). Pricing in Expropriation. Master Thesis, Istanbul Kultur University, Institute of Social Sciences, Istanbul.
2. Göven, Y. (1999). Public Benefit in Expropriation Procedures. *Journal of Social Sciences*, 1, 247-262.
3. Bozkurt, Ö. (1998). *Public Administration Dictionary*, TODAIE Publications, Ankara.
4. <http://www.tbb.gov.tr/belediyelerimiz/istatistikler>
5. Karatay Belediyesi, (2021), Konya Karatay Municipality Council Decision. Dated 06/01/2021 and numbered 2021/19, Konya.
6. Boztoprak, T., Demir, O., & Çoruhlu, Y. (2016). Expropriation Regulation in Land Management Practices. *Electronic Journal of Map Technologies*, 8(1), 40-50.
7. Adams, T. (1998), *Outline of Town and City Planning*, (1st ed. 1935). New York, USA, Routledge.
8. Ersoy, M. (2007). *Urban Planning Theories*, Imge Publishing, Ankara.
9. Yalçır, Ş., & Ekiz, M. (2017). Use of analytical hierarchy process in equivalency-based land and land arrangement. *Ömer Halisdemir University Journal of Engineering Sciences*, 6(1), 59-75.
10. Çakır, P., & Sesli, F. A. (2013). Identification of factors affecting the value of land qualified immovables and the order of importance of these factors. *Map Technologies Electronic Journal*, 5(3),1-16.
11. Erol, Y. (2019). Yerel yönetimlerde (Belediyelerde) kamulaştırma problemleri ve çözüm önerileri. Master's Thesis, İstanbul Ticaret Üniversitesi / Fen Bilimleri Enstitüsü
12. Kiliç, O. (2011). Kamulaştırma davalarında arsa-arazi ayrımı. *Akdeniz University Journal of the Faculty of Agriculture*, 24(1), 15-18.
13. Sandalcılar, A. R., Ergün, F. K., Örucü, H., Şafak, T., & Kandemir, S. (2017). Rize'de kamulaştırmada karşılaşılan sosyo-ekonomik ve hukuki sorunlar. *Uluslararası Ekonomi İşletme ve Politika Dergisi*, 1(2), 103-116.
14. Pulak, M. (2001). Kamulaştırma Kanununda 4650 Sayılı Kanun ile Yapılan Değişiklikler Üzerine Değerlendirmeler. *Mülkiye Dergisi*, 25(228), 187-216.
15. Alkan, M., & Özfıdan, F. (2016). Taşınmaz değerlemesine yönelik coğrafi bilgi sistemi tasarımı ve uygulaması. *Karaelmas Fen ve Mühendislik Dergisi*, 6(2), 334-344.
16. Bademli, R. (2001). *City and Planning in the Grip of New Globalization*, File: City and Planning, Architecture, Istanbul.



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