

Process of Land Acquisition and Compensation

**HANSHIN EXPRESSWAY COMMUNITY
OUTREACH FOUNDATION**

REPRINT

by the support of
**JAPAN ORGANIZATION
FOR LAND ACQUISITION AND COMPENSATION**

To construct expressway under scheduled plan, smooth acquisition of land is needed for the project. As land use became diverse and multiple recently, right and interest to the land and other articles to be acquired are also complicated. And as land owner and interested party well acquainted with their right or title, process of land acquisition has a tendency to be in difficulties and long dated. These circumstances require officials concerned great store of knowledge and experience in land acquisition business.

This book is aimed at to offer practical guidance of the process of land acquisition to new figures. To such purpose this book written as a story express easily the process of land acquisition and makes clear the main point of each step of the process.

We hope this book is used by new figures for their manual of the business and thereby also ensure smooth and intentional implementation of the projects which give benefit to the public.

table of contents

Chapter 1

Explanatory Meeting and Surveying 3

Chapter 2

Compensation Estimation35

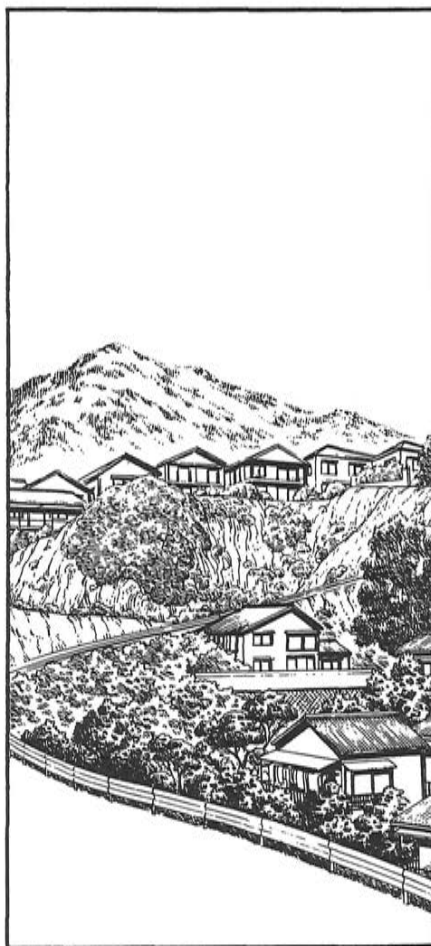
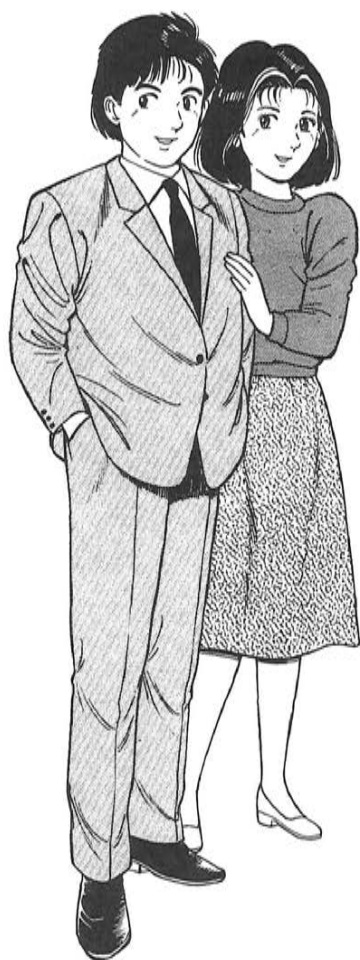
Chapter 3

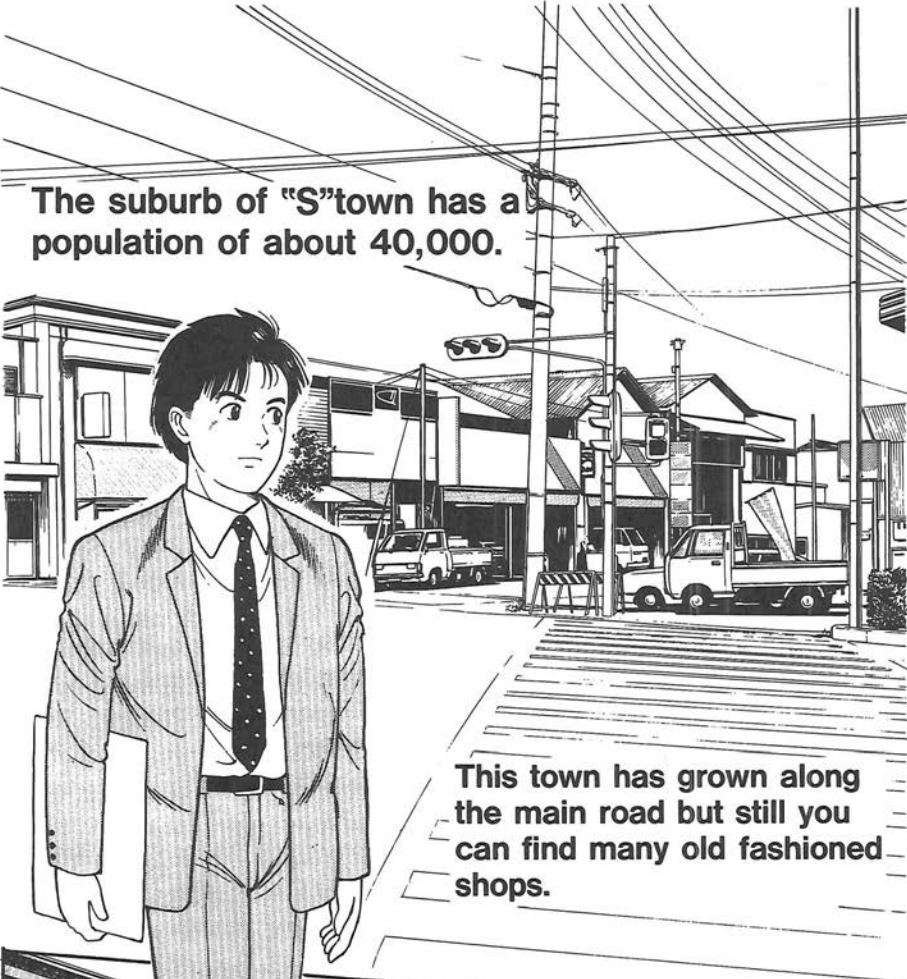
Land Acquisition Negotiation55

materials110

Chapter 1


Explanatory Meeting and Surveying





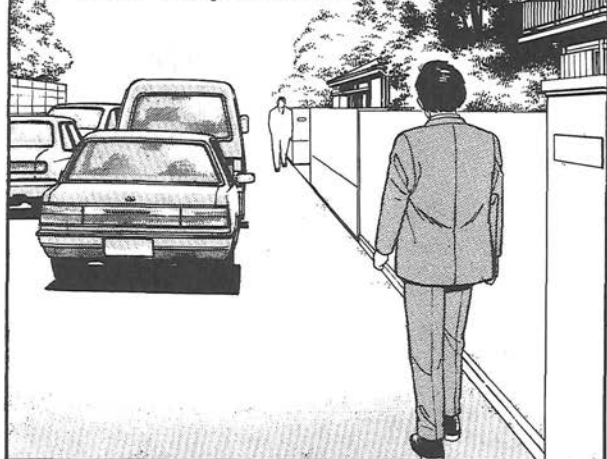
The suburb of "S"town has a population of about 40,000.

This town has grown along the main road but still you can find many old fashioned shops.

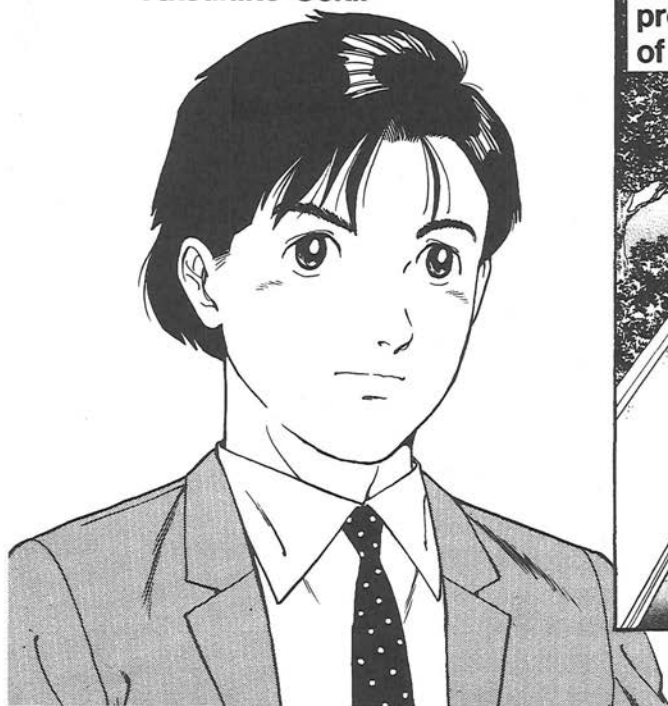


However this town has now been changed detrimentally by the modernization.

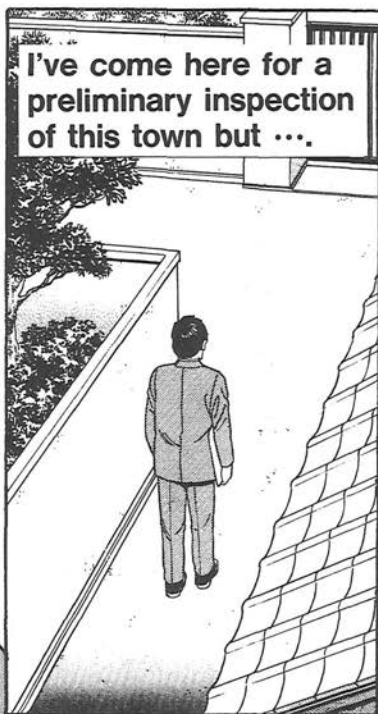
The plan has been decided to construct a highway through this town, this project will be carried out by the "H" Highway Public Corporation.

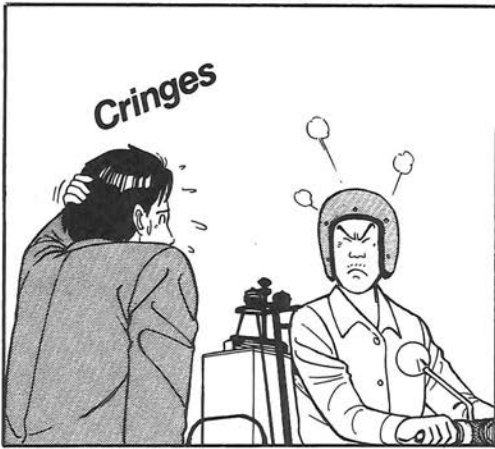


I am a new employee of "H" Highway Public Co.,
Tatsuhiko Ueki.



I've come here for a preliminary inspection of this town but ...

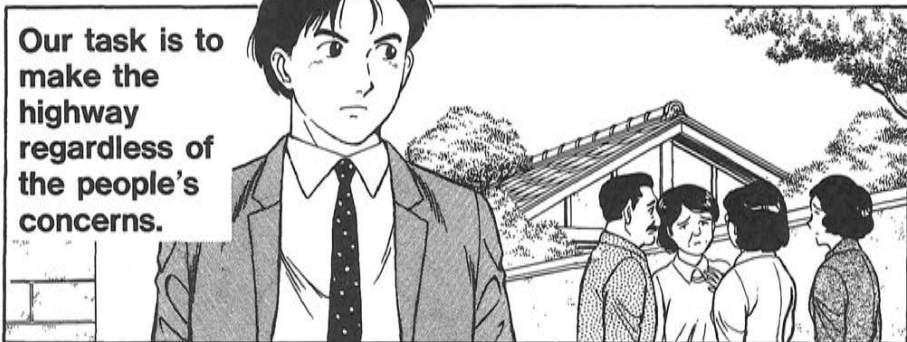




It seems like many people in the town are becoming agitated.

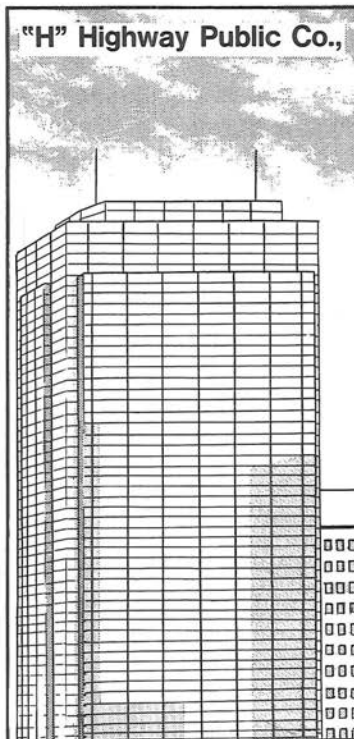


Our task is to make the highway regardless of the people's concerns.



But we need to accomplish this task.





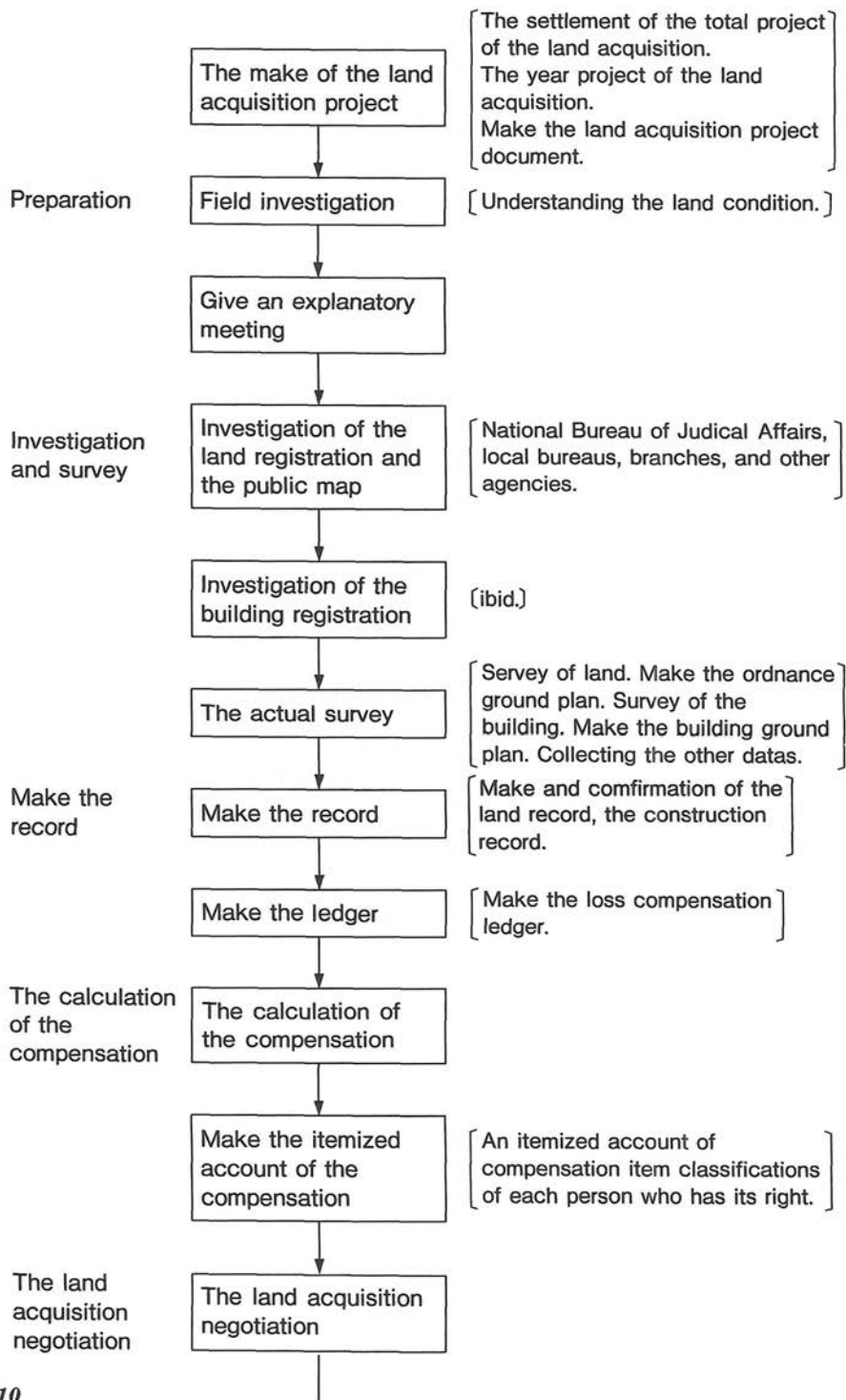
会議室

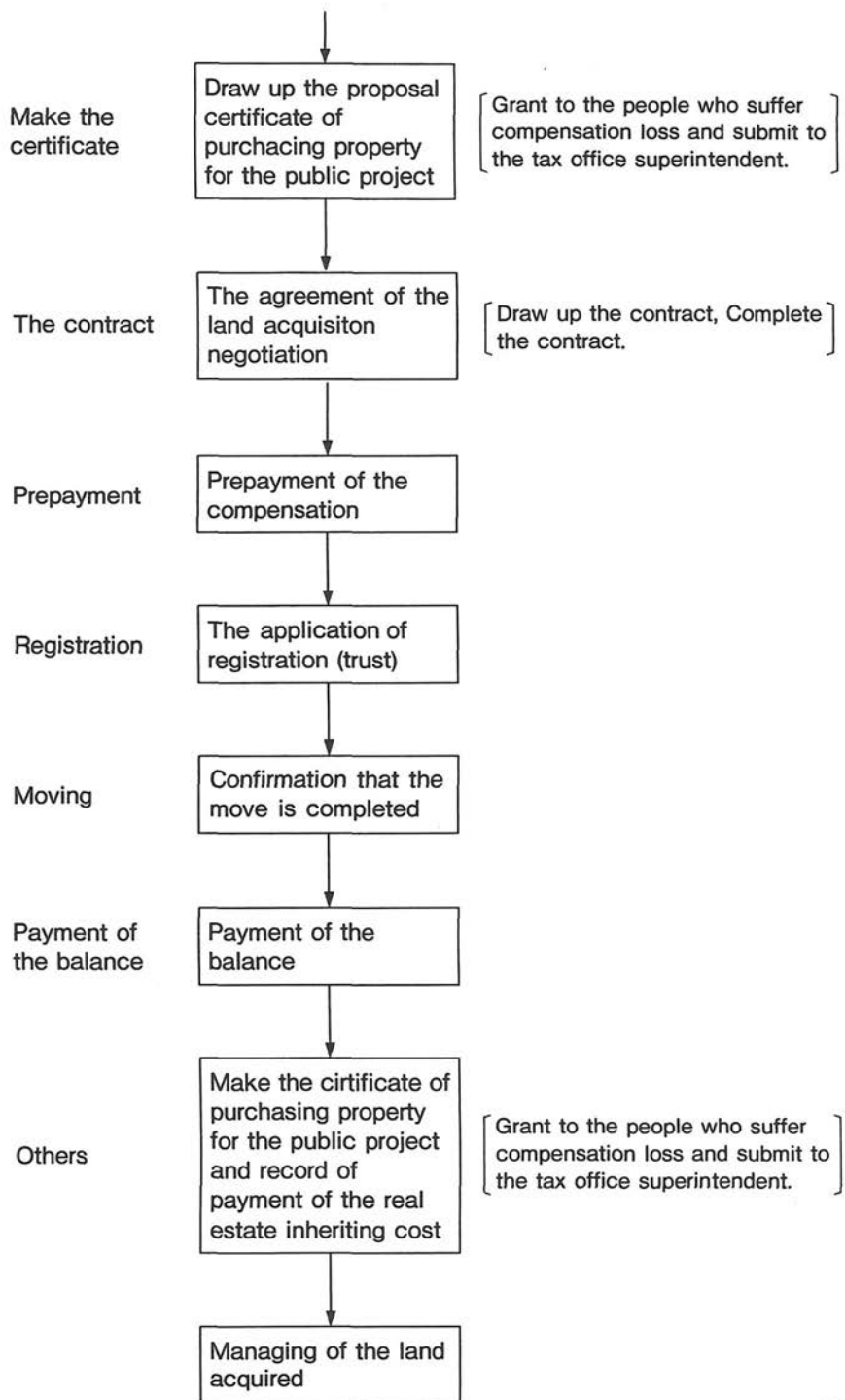
(meeting room)

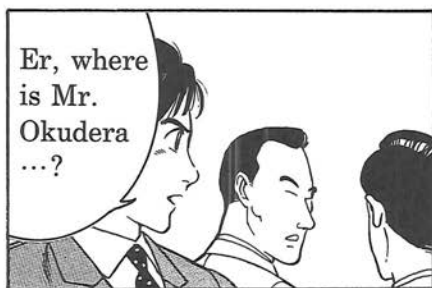
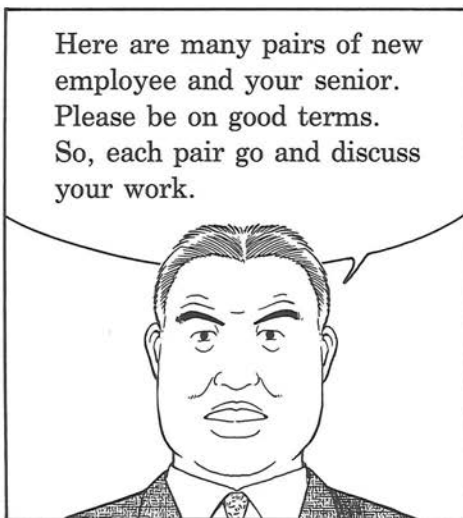
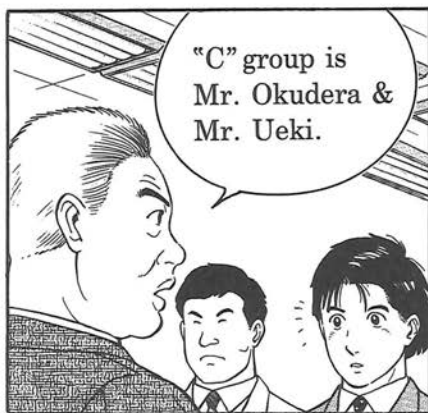
Land acquisition project of "S" town.

We will go on with
the acquisition of
the district of
"S" town.

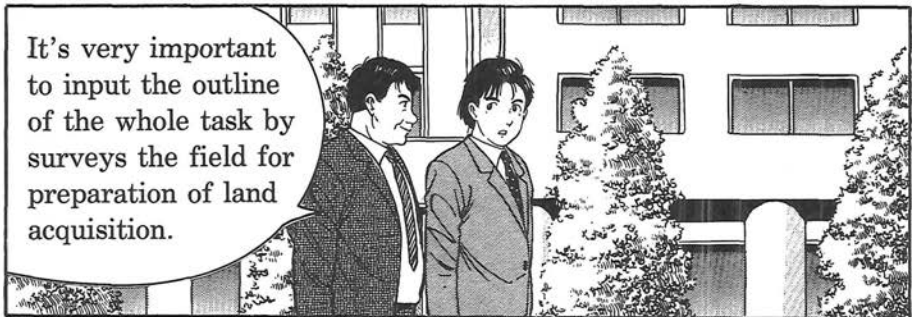
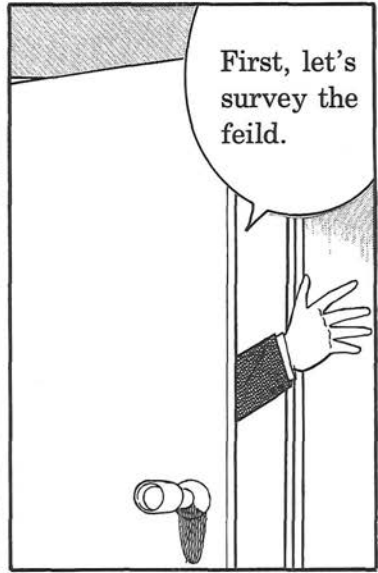






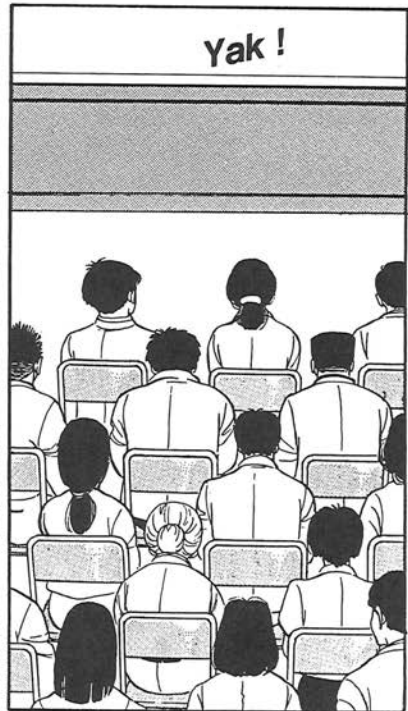
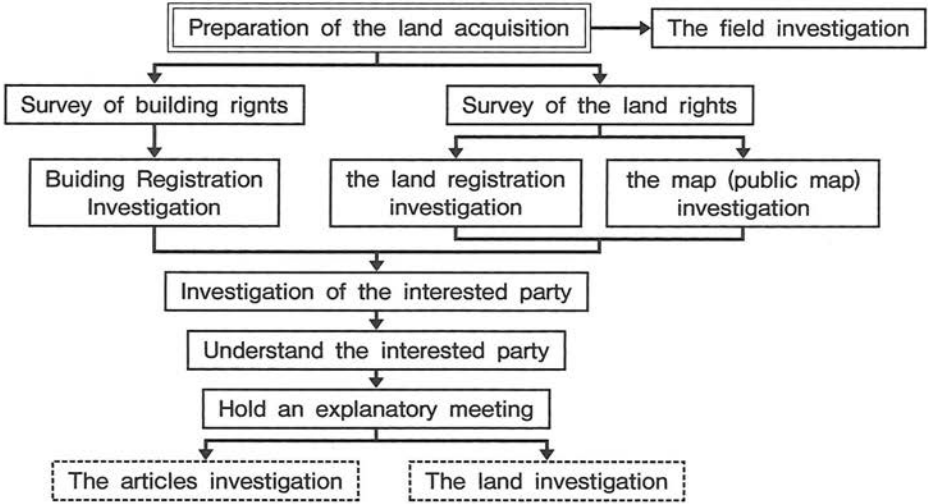


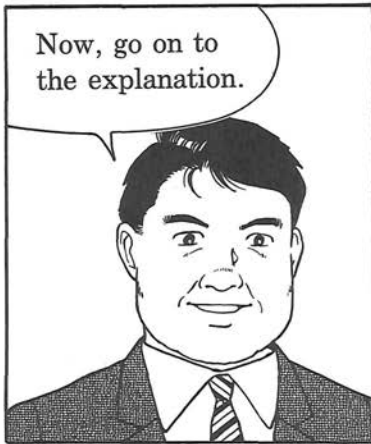




Preparation

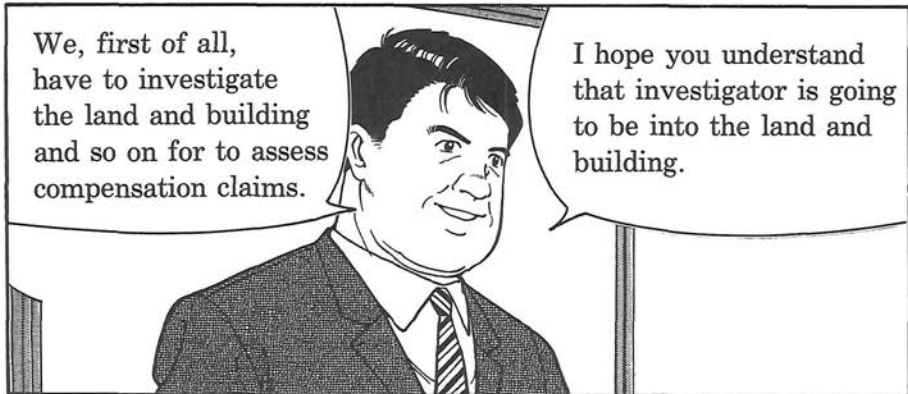
Preparation of the land acquisition is preceded by the information on the diagram below by following: ①Understand the opinions of local government.② Understand the situations of the local people ③Adjust the other projects.

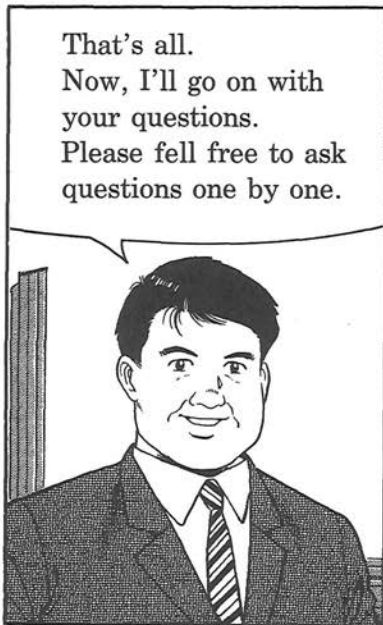
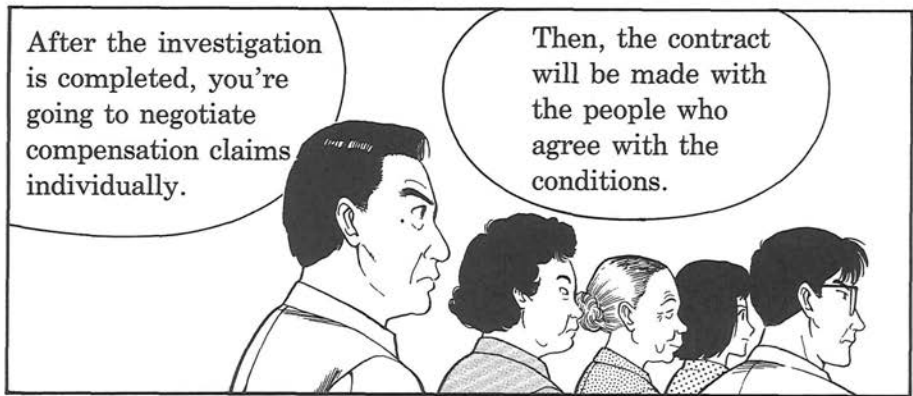




In the explanatory meeting next 5

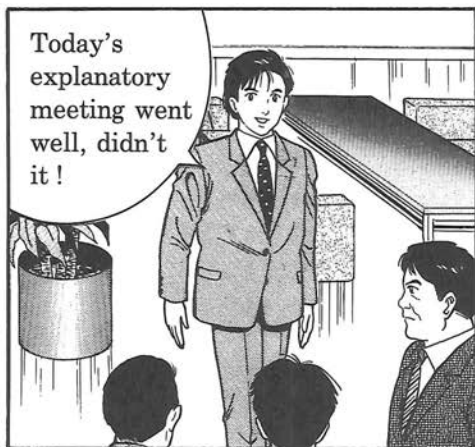
- ① Explanation of the outline of the project
- ② How to survey and investigate the land and building
- ③ Basic policy of the land compensation
- ④ How to negotiate
- ⑤ Demanding the collaboration on the project and consent to enter

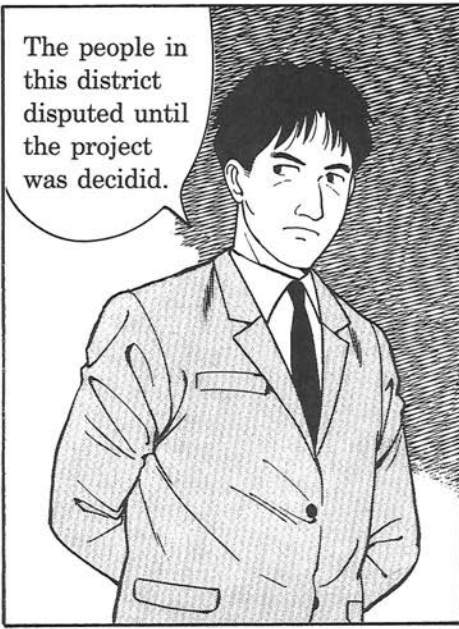
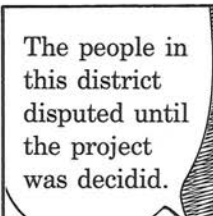
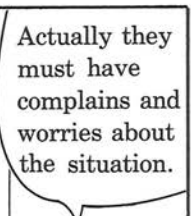
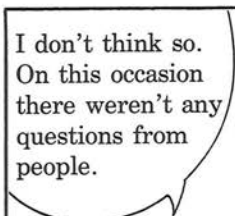


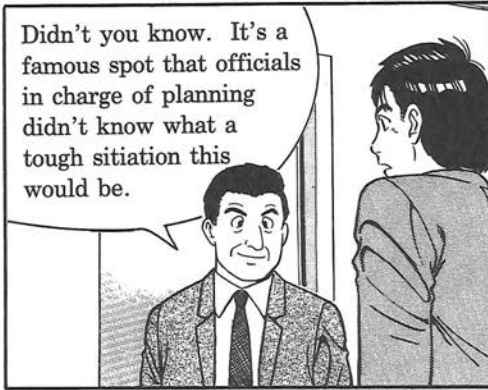


Methods for answering questions

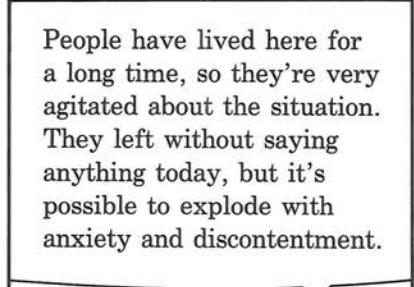
- ① Understand the local situation in order to anticipate questions.
- ② To answer shortly, clearly and sincerely
- ③ To speak with easy expressions that people understand. Avoid technical terms.
- ④ You shouldn't give the impression that you want to avoid questions.
If you can't respond immediately promise to answer them later.
- ⑤ Sometimes certain people's opinions will affect the whole group. Because of this, sometimes the meeting will be confused. However we should handle people with confidence and without any agitation.







Didn't you know. It's a famous spot that officials in charge of planning didn't know what a tough situation this would be.



People have lived here for a long time, so they're very agitated about the situation. They left without saying anything today, but it's possible to explode with anxiety and discontentment.



Well ...



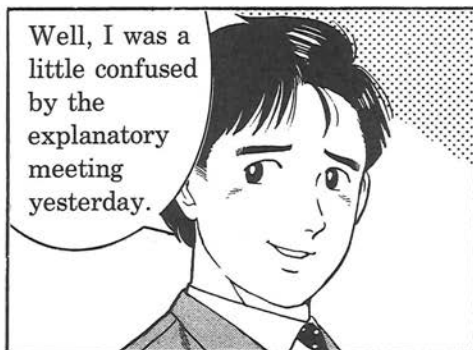
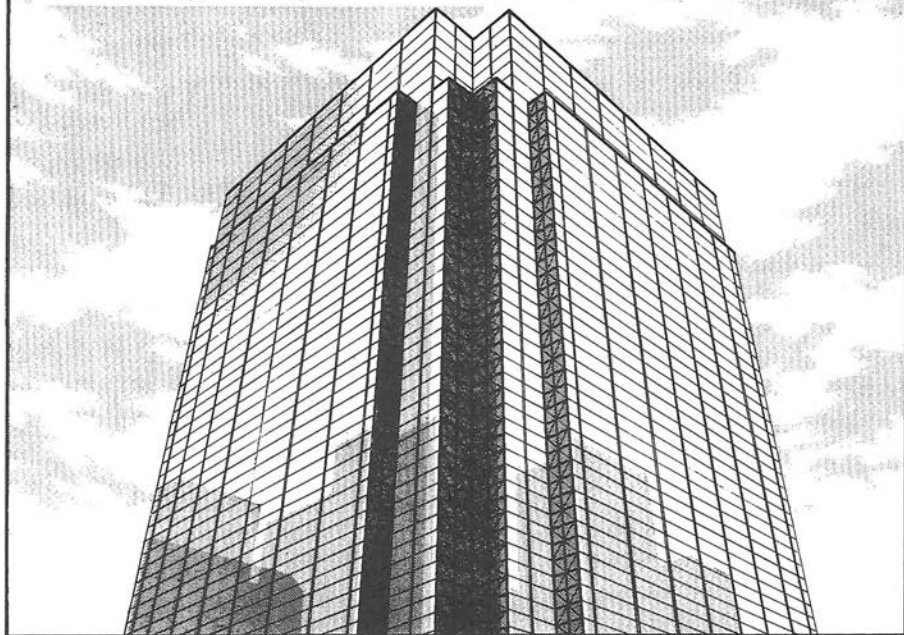
Explode ?

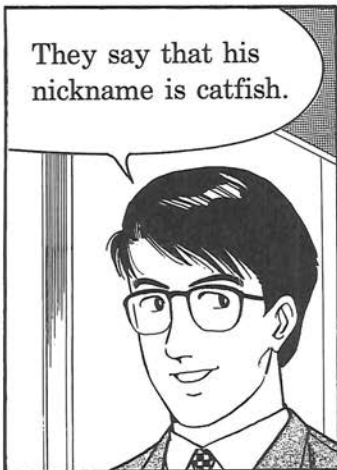
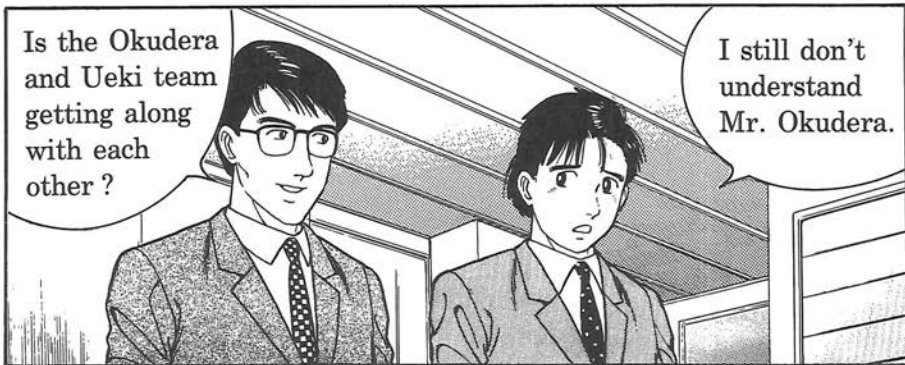


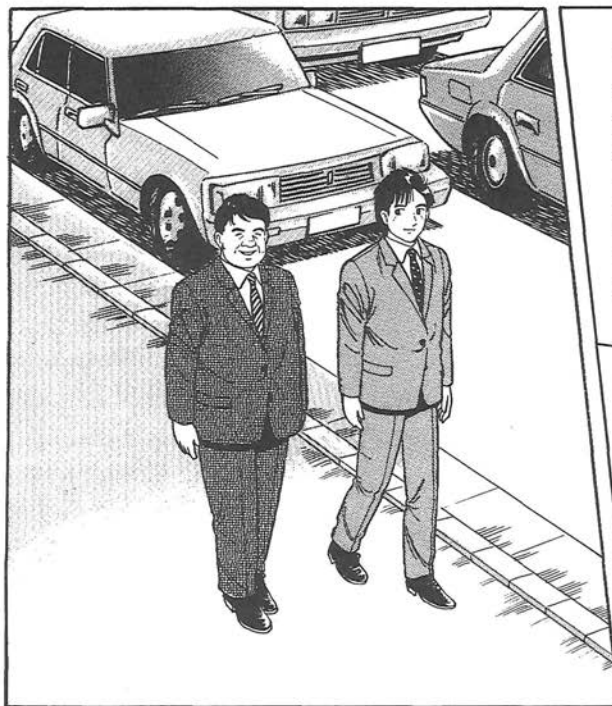
Eeek!

Don't be so scared. Today's game has been put off because of rain. Well, let's go home and prepare for the next game.

"H" Highway Public Co.,







We could get a lot of information by talking to the leading man of the district like the head the local council. It helps you when you negotiate privately. Do you understand ?

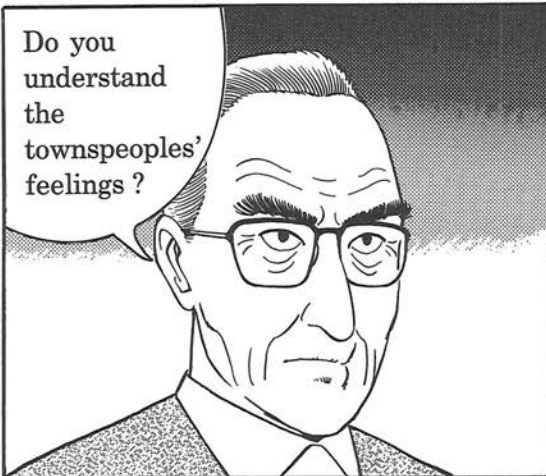
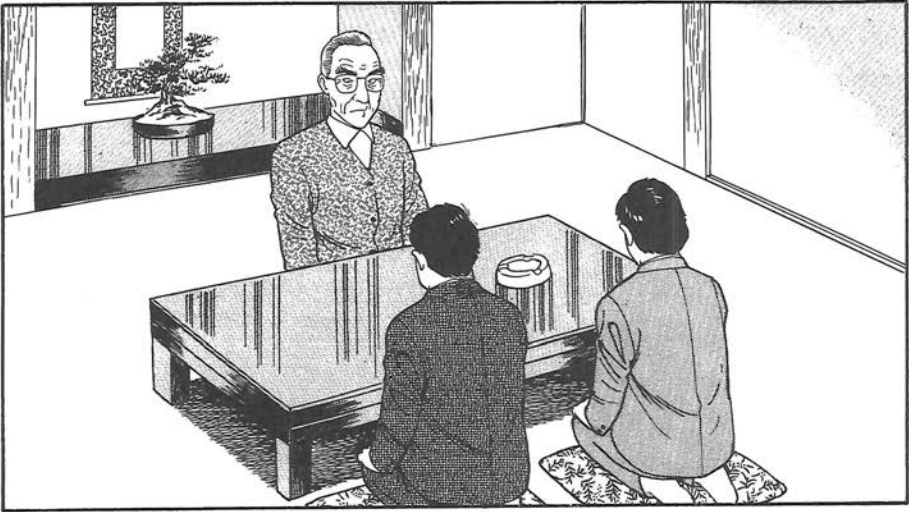
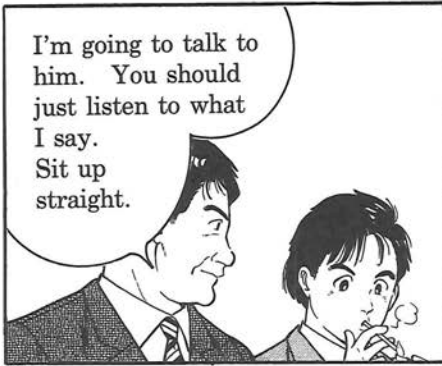


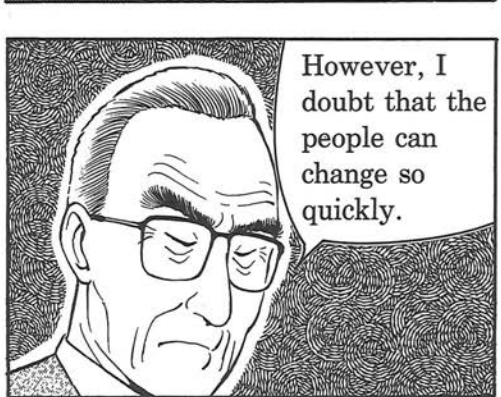
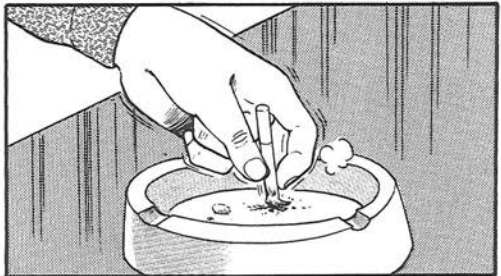
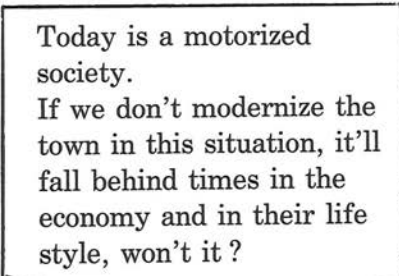
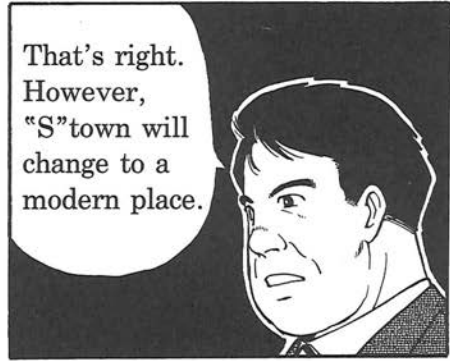
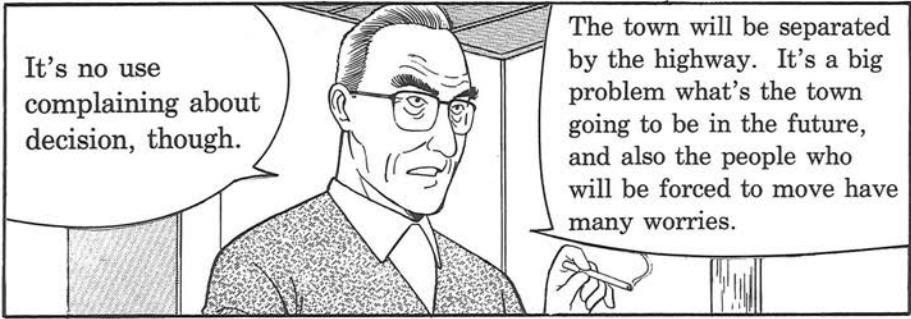
Yes, I do.

The head of the local council's home



We've arrived.

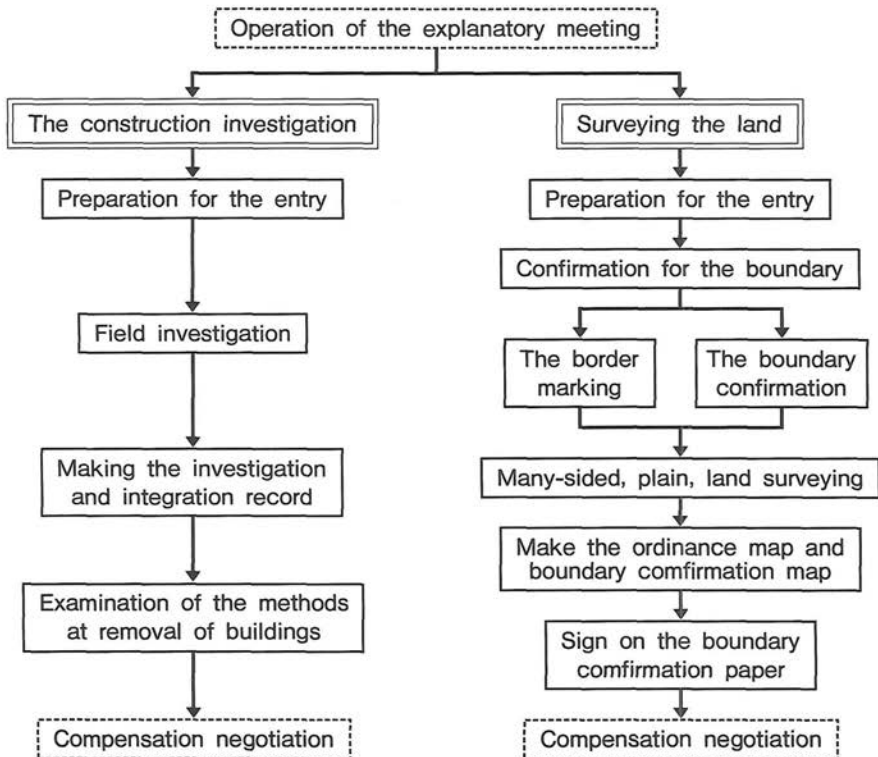




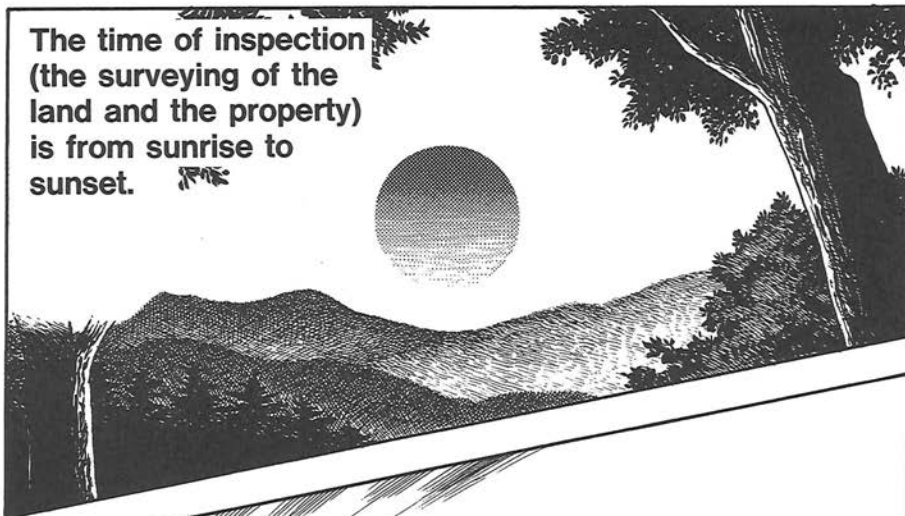


Inspection

The inspection should begin with an investigation of the registration and should continue with a field investigation.



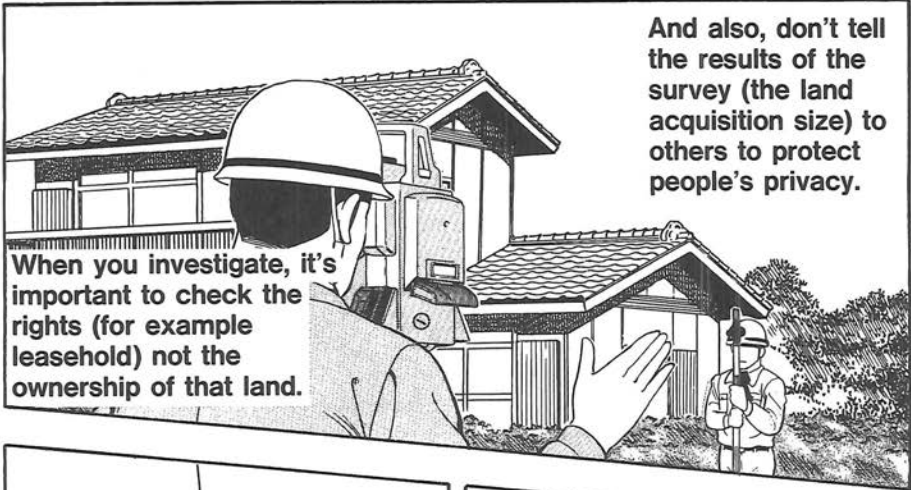
The time of inspection
(the surveying of the
land and the property)
is from sunrise to
sunset.



We are not allowed to
enter there except during
those hours.
And for the investigation,
we have to have
identification with us and
show to the property owner
at his request.

Remember the local
people's information
at the time of
investigation, keep
good manners and
don't respond to
questions we're
unsure about, for
example at questions
dealing with
compensation and
so on.



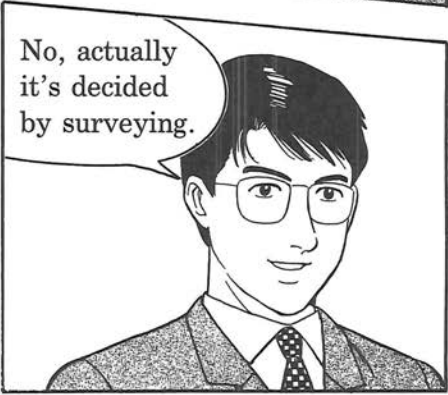


And also, don't tell the results of the survey (the land acquisition size) to others to protect people's privacy.

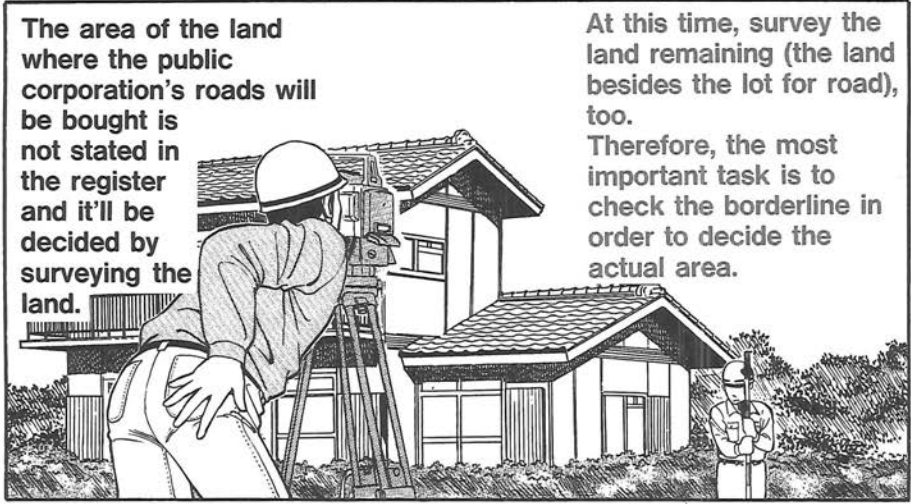
When you investigate, it's important to check the rights (for example leasehold) not the ownership of that land.



What !
Will the size of the land be decided by the register ?

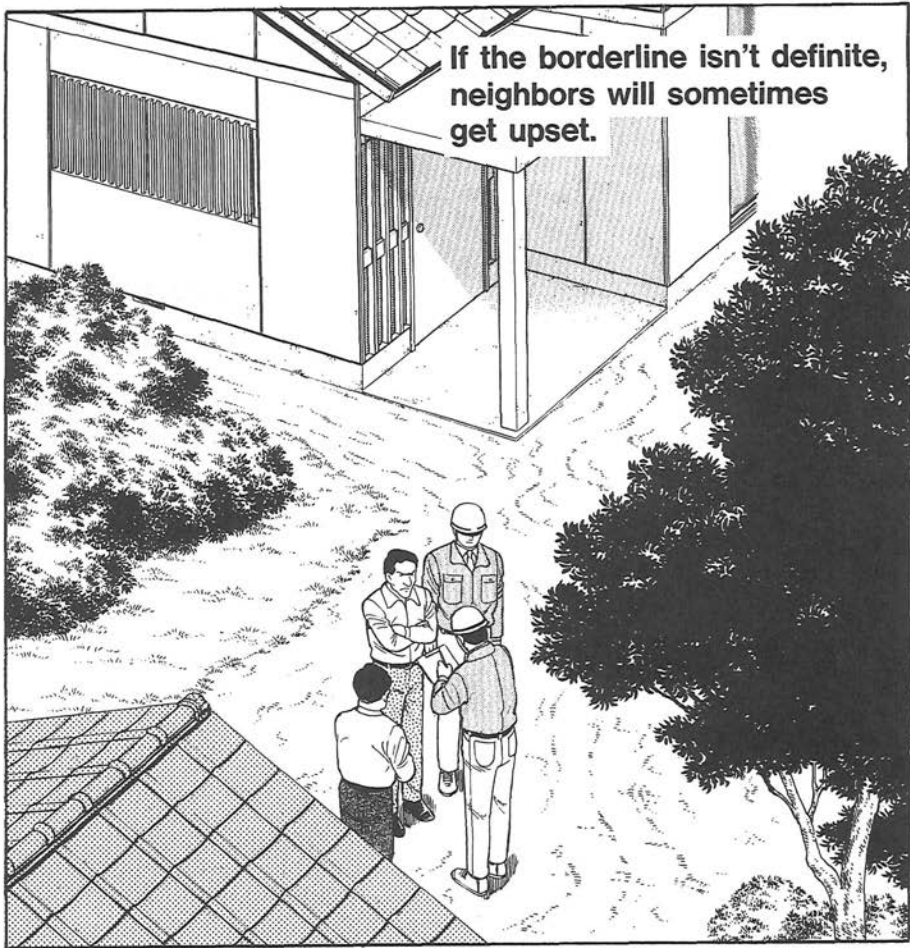


No, actually it's decided by surveying.



The area of the land where the public corporation's roads will be bought is not stated in the register and it'll be decided by surveying the land.

At this time, survey the land remaining (the land besides the lot for road), too. Therefore, the most important task is to check the borderline in order to decide the actual area.

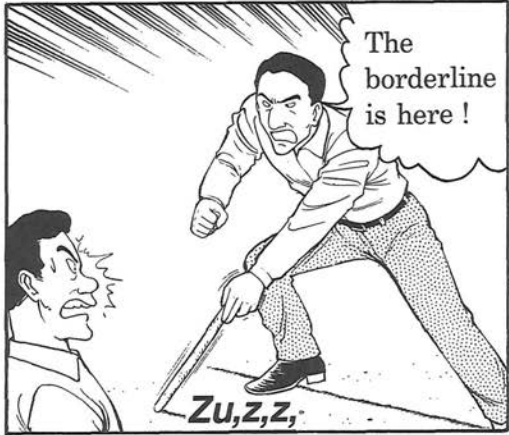


If the borderline isn't definite, neighbors will sometimes get upset.



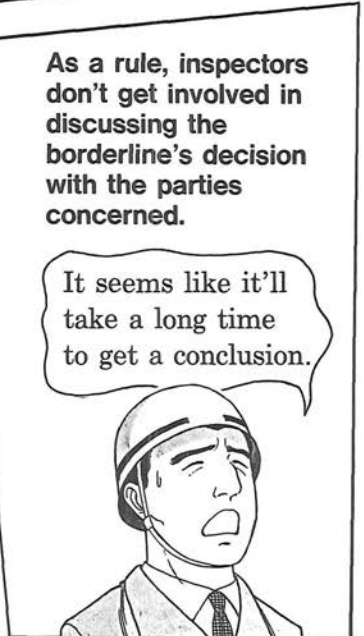
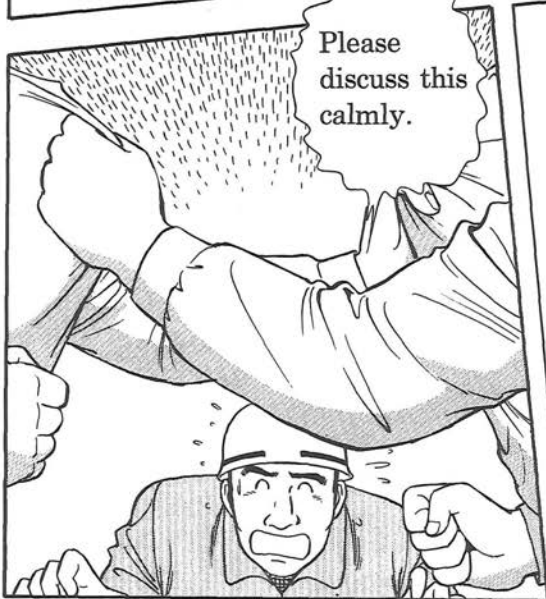
No, it's here !

Zu,z,z,



The borderline is here !

Zu,z,z,



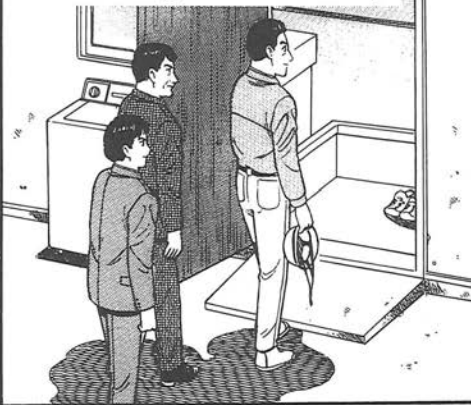
When surveying objects, check the use area, structure, quality of the material, durable years and so on.

Check the gate, wall, garden's trees and stones and so on for property value.

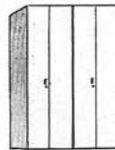
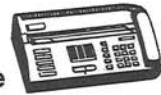


Watch out for garden's stones and trees.

We'll make a ground plan and three dimensional plan according to the survey.

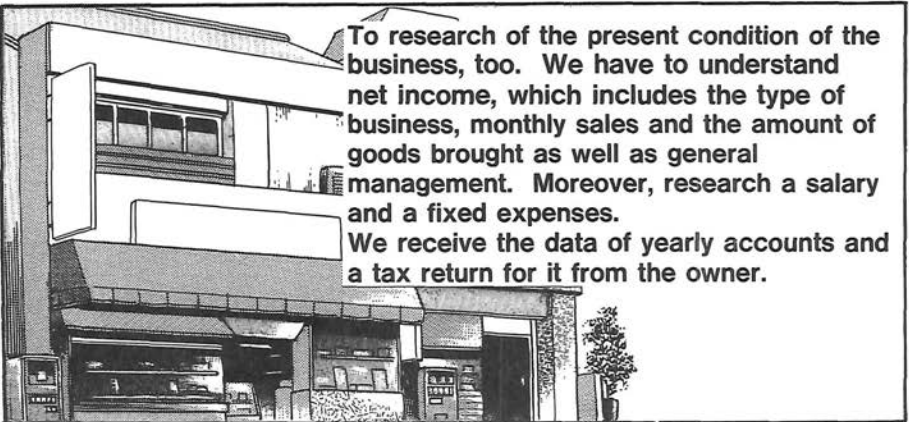
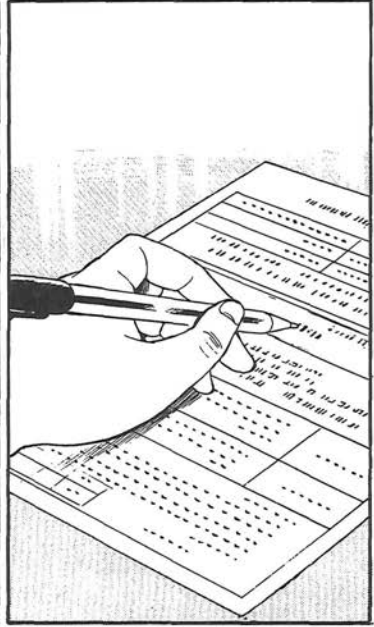
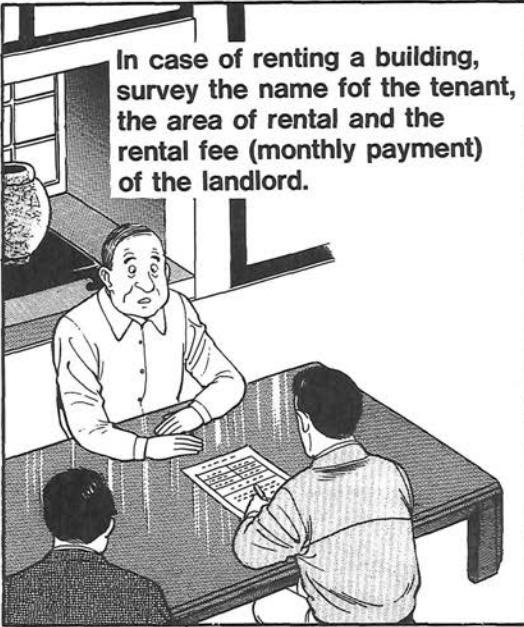


And check about movable property which needs to be moved.



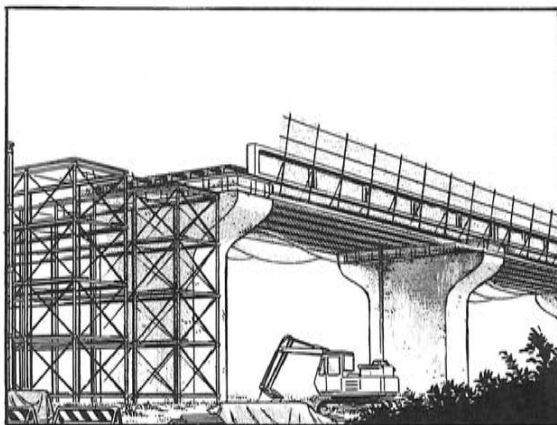
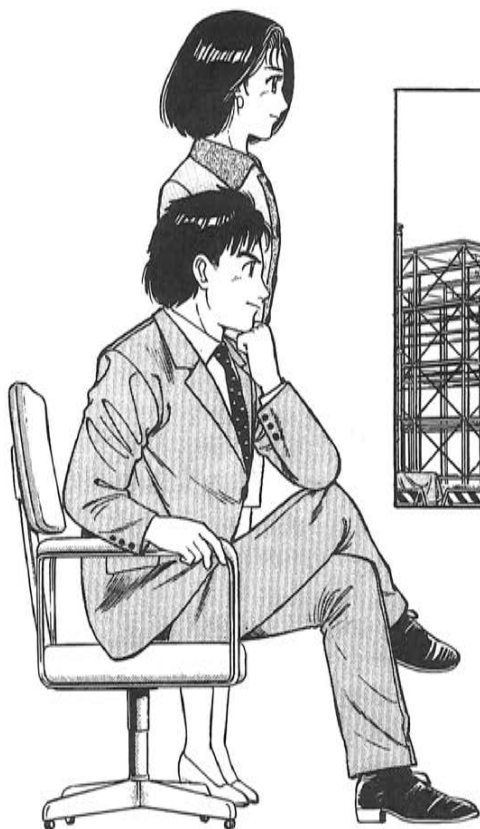
We'll confirm an occupant, the size of the land, rent, an inside fixtures, constructions on the land and building extensions for inspection of possession concerning.





Chapter 2

Compensation Estimation



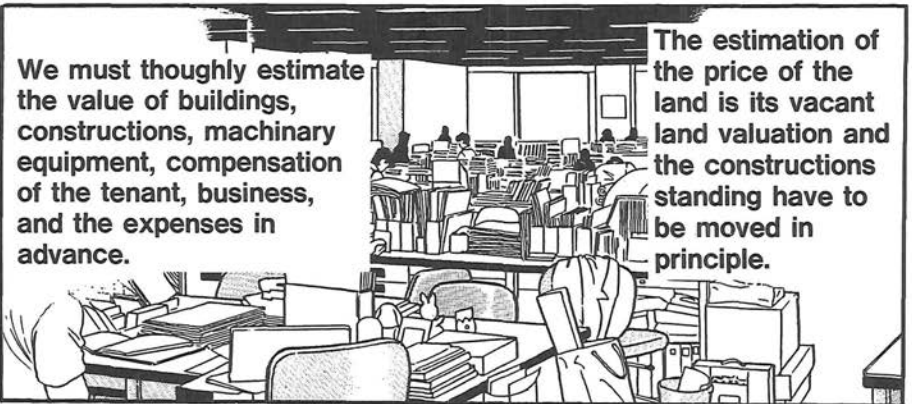
"H" Highway Public Co.,

First, and most importantly we must decide the purchase price of the land when estimating compensation claims.



We must thoughtfully estimate the value of buildings, constructions, machinery equipment, compensation of the tenant, business, and the expenses in advance.

The estimation of the price of the land is its vacant land valuation and the constructions standing have to be moved in principle.



The valuation of the land is to be done, by selecting the standard land lot and by comparing it with "the standard land lot comparison principle".

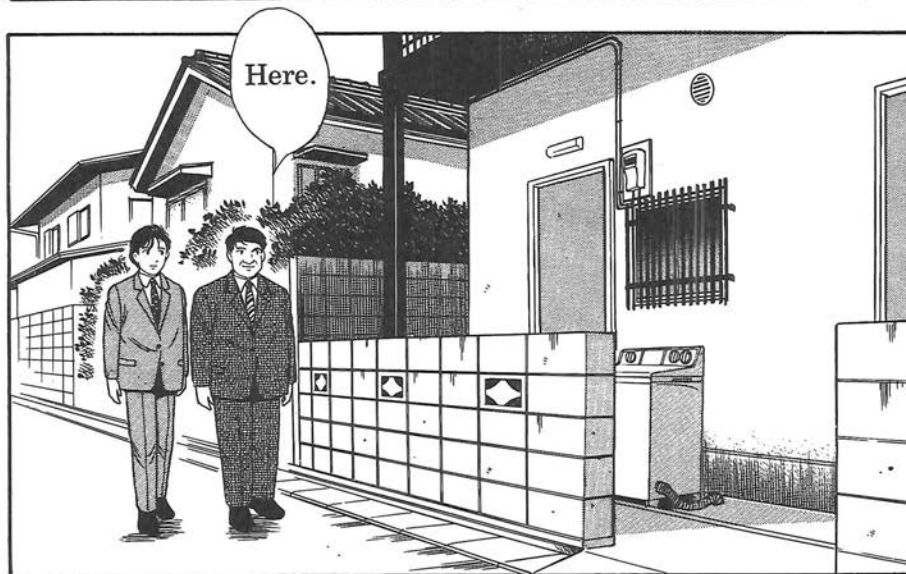
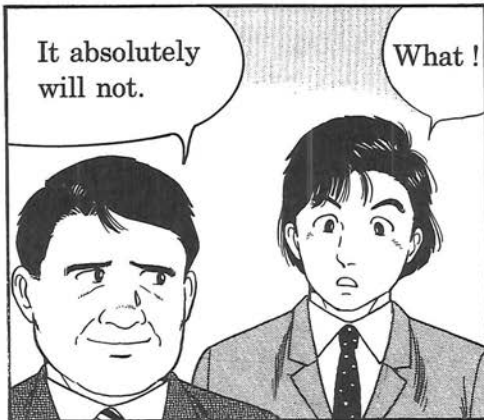


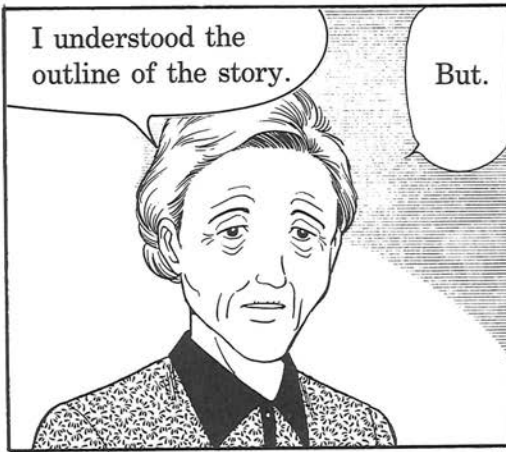
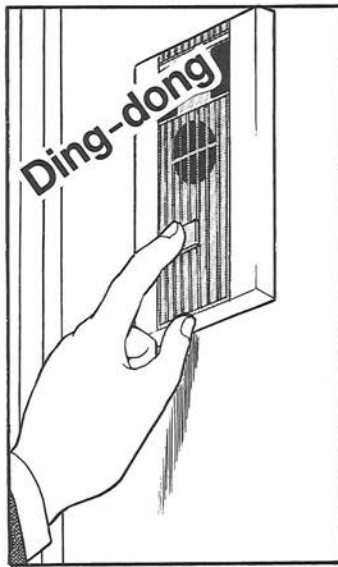
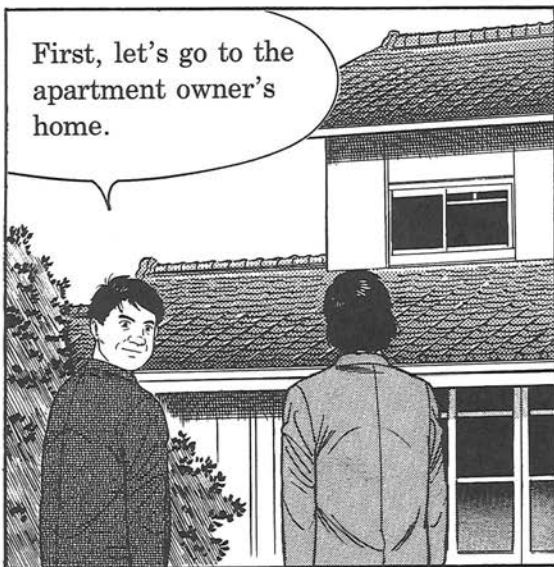
It's time to take our turn !

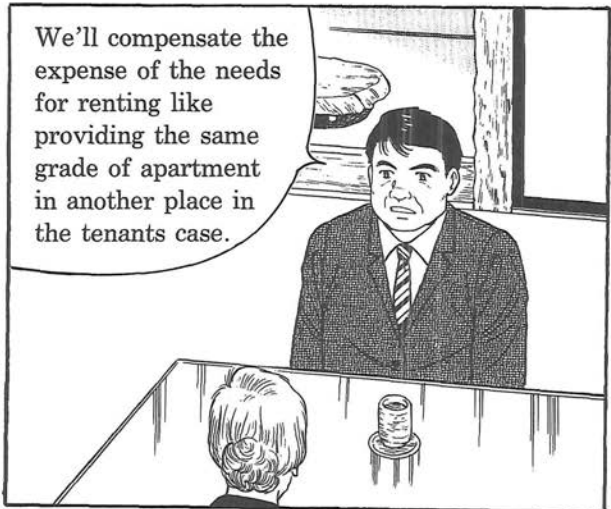
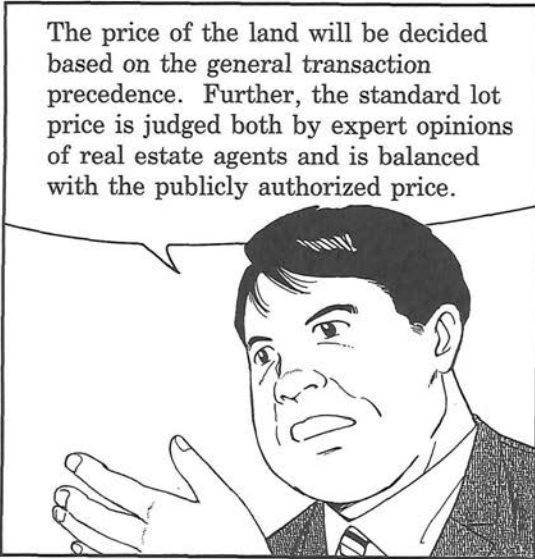
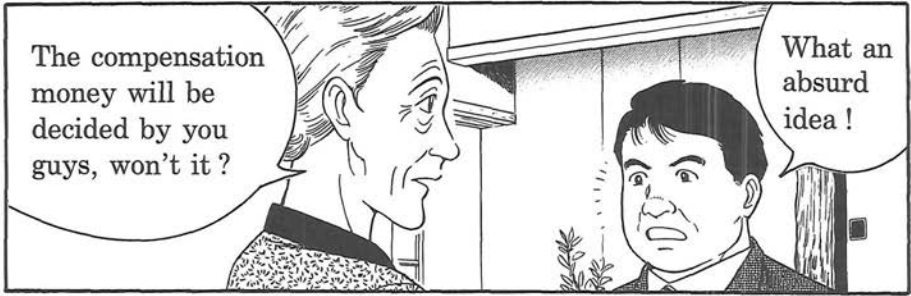
Yes.

In negotiation, we'll make the parties understand what type of standard the estimation of the compensation will be based on.

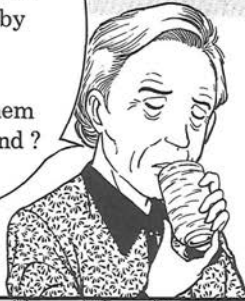
Have them understand the propriety, after we explain enough about the way of estimation for the compensation.







But I don't agree that we should evict them by force. Could you persuade them to understand?



Of course we'll handle it.



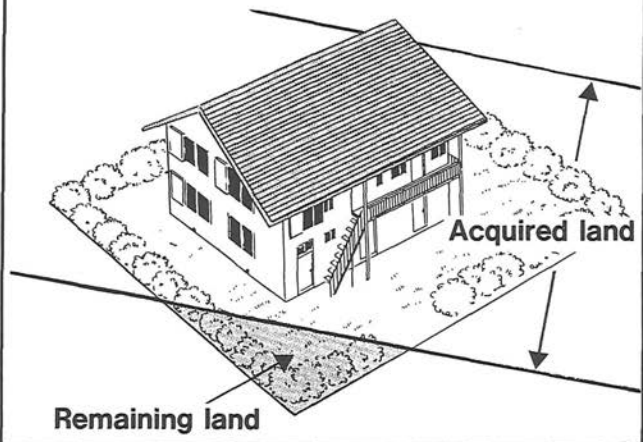
What's going to happen to that part?



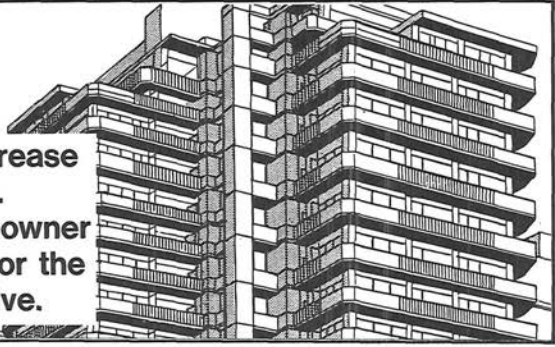
Besides, I got a sketch the other day which shows that there's still some land left next to the apartment.

Naturally, we'll take compensation into consideration, if the rest of the land is useless, we'll purchase the whole land.

"The compensation for remaining land" The remaining land will be compensated for under the condition that it's sold to us for less than its buying price.



**“There is a rental decrease compensation clause”.
During relocation, the owner
will be compensated for the
rent he dose not receive.**



It's going
to be hard
work.

It's better
than most
jobs.



Let's go on to
our next job.

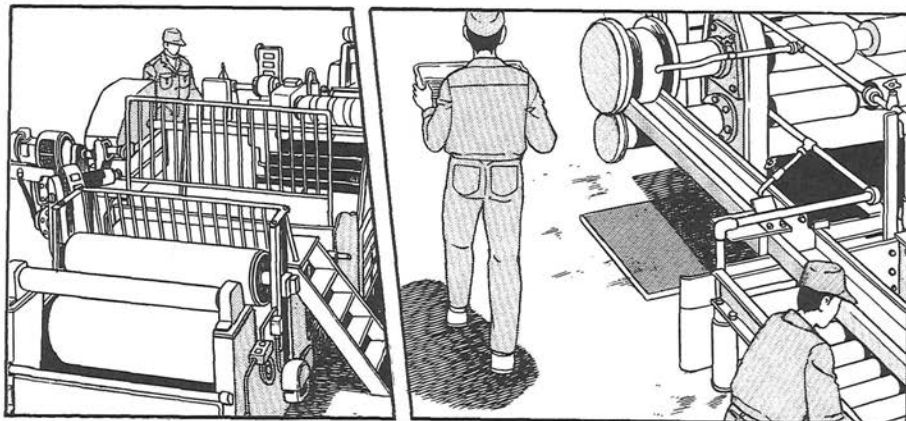
Ah ...
O.K.



**O.K. I'll explain leasehold
compensation to you.
In this case, the landowner
has to consider if the land
price includes the leasehold
price, the allotment will be
given to the leaseholder and
the landowner and will be
decided between them in
the future.**

YK部品工場

(YK Parts factory)



... for the result, the building will be moved basically.



If it's moved, what will happen to the building, machines and so on ?

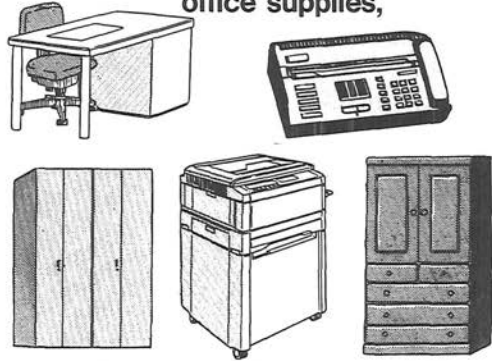
We don't purchase buildings, constructions, machinery equipment. In return for this, you will get removal compensation" for your expenses.



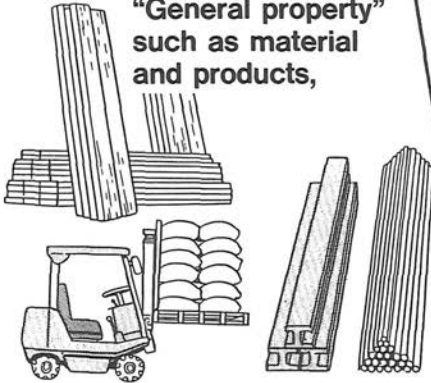
There is movable property compensation for machinery, etc. This is for ...



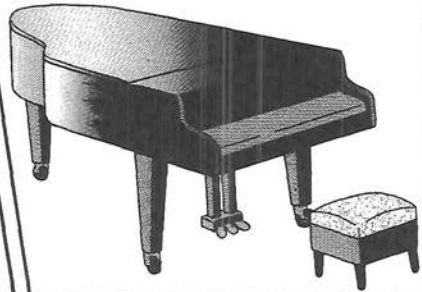
“Indoor property” such as household good and office supplies,



“General property” such as material and products,



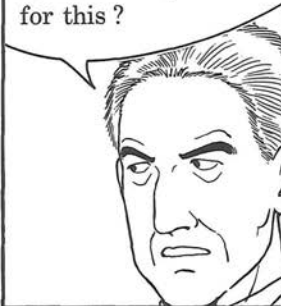
“Special property” such as difficult to handle objects like pianos.



That's all.



During the removing, we have to stop working. Is there compensation for this ?



There is “Compensation for loss in business” to compensate for the amount loss due to shutdowns, and loss of customers.

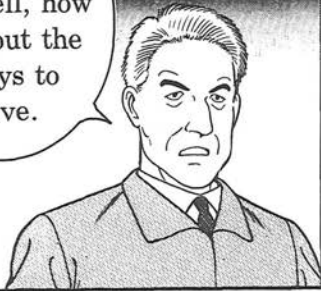




Compensating expenses when the owner needs expenses for selection of the new location, law procedures and the removal register of the ownership right and construction confirmation application for the removal, and sundries for report and advertisement of move.



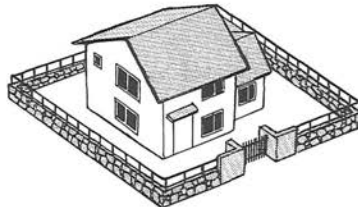
Well, how about the ways to move.



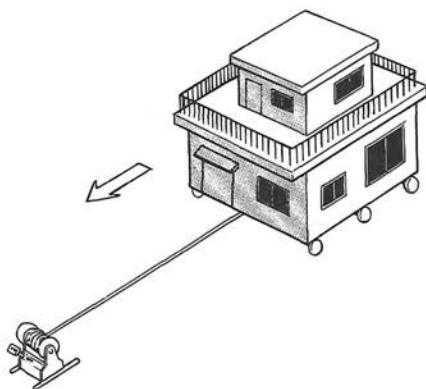
There are five methods.



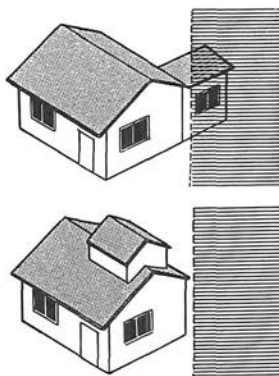
1 creating a new building



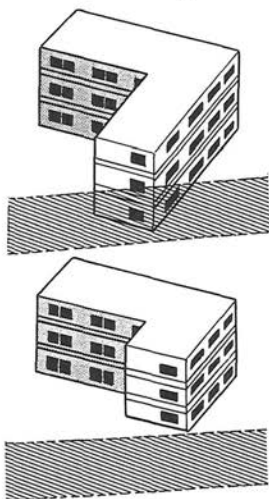
2 moving the entire building



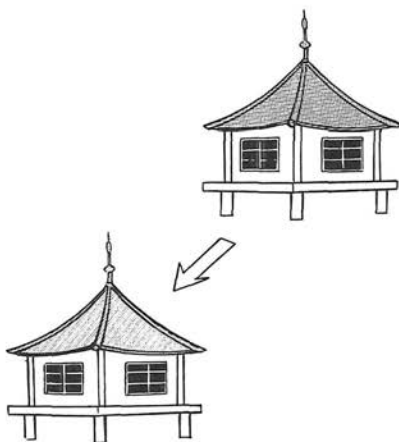
3 relocating building space through annexing



4 reducing the total size of the building

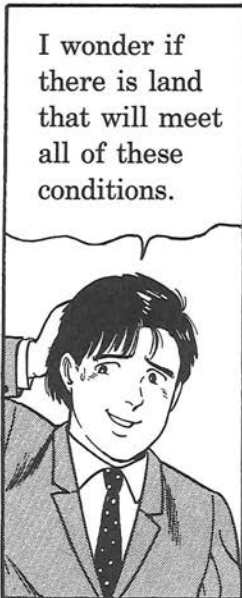
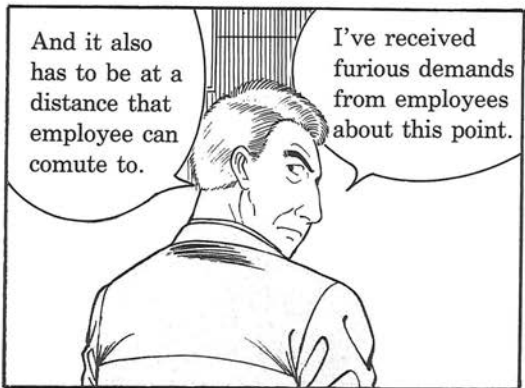


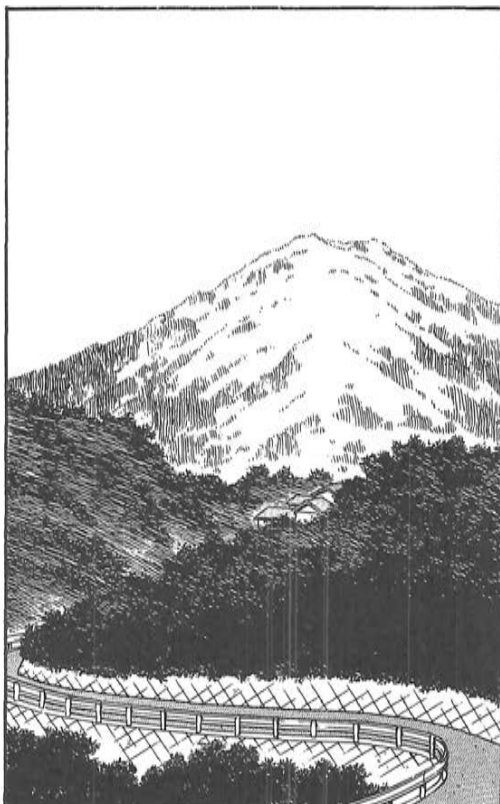
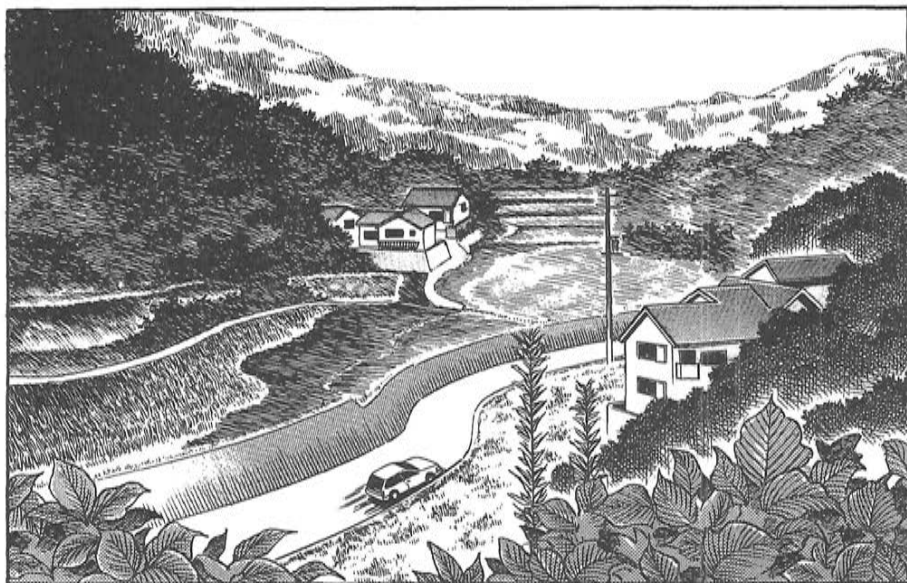
5 Restoring to the original building



That's it. The moving method choice is not your individual decision, we make the choice based on the objective judgement.









Look carefully, the highway will come down from that town and there's going to be a tunnel around here. It will connect to the next town through the mountain over there.



There's going to be tunnel around there, too, isn't it.



Yes, but look at that!



We are in charge of that area, too.

Here is the house that
will get partial superficies
compensation.
It seems to be difficult.

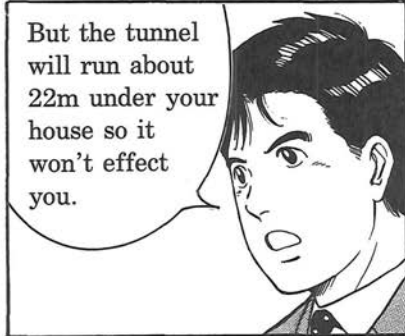
Don't scare me
like that.



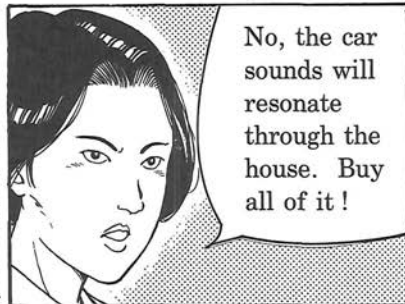
I would like you
to buy the whole
property.

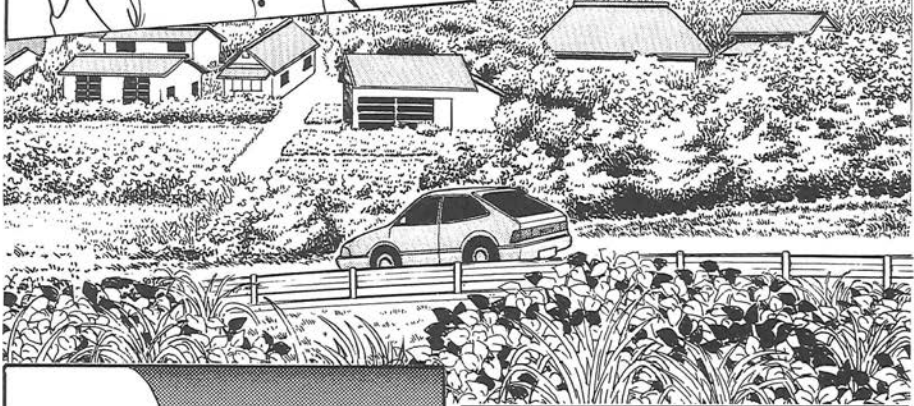


But the tunnel
will run about
22m under your
house so it
won't effect
you.



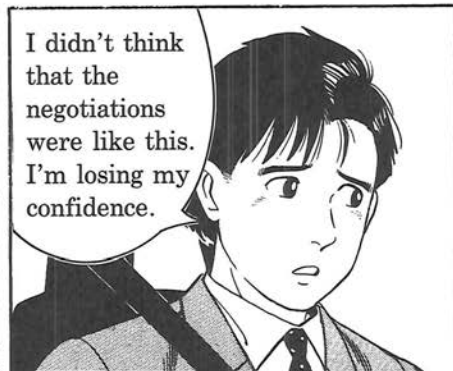
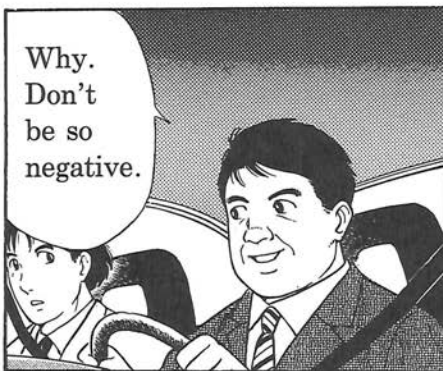
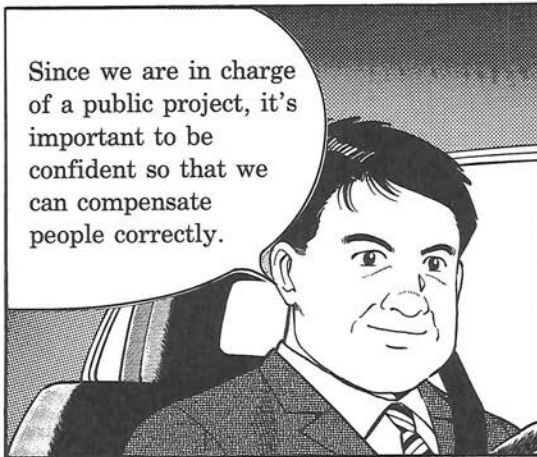
No, the car
sounds will
resonate
through the
house. Buy
all of it !





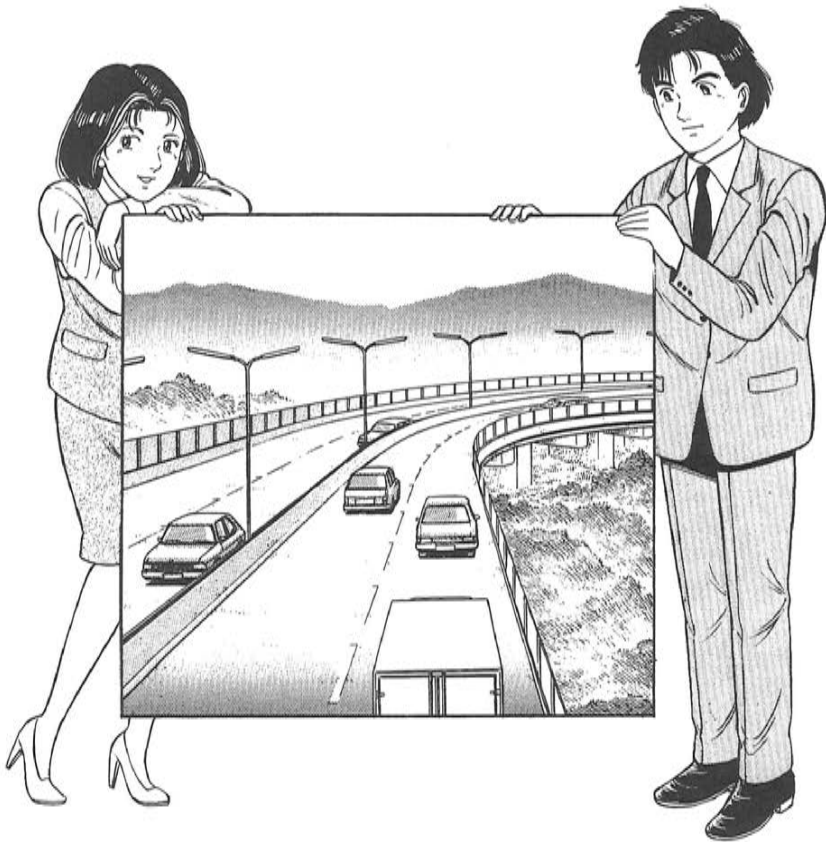
Usually people become stubborn for no special reason. Concerning the car sounds, there's no way they could reach 22m up. We can only explain it to them with a long explanation.





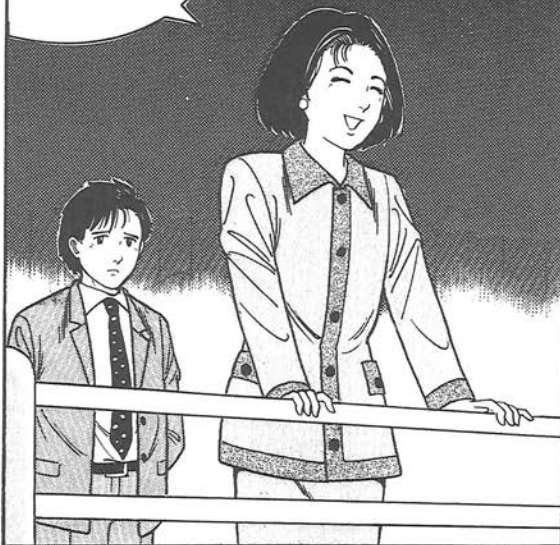
Chapter 3

Land Acquisition Negotiation





Hmm, feel's
so good !



What's the
matter ?
You look
down.



To tell the truth, the
negotiations
aren't going
well.



We haven't
got a
settlement
on the
compensation
talks with
people in
"S"town.



"S"town ?

My father
lives in
that town.



Really ?
Did Miki
live in
"S"town.



I was born in "S"town.
I used to live with my
father because my
mother died soon
after I was born.

But I started to think
about getting out from
that old town, as I'm
got older.

So the reason why I left home
three years ago is because my
design job became busy.
I haven't seen him since then.
But I realise now that I want
to live with him again.

I see. Well,
what's your
father's name ?

Seiichi.



I wonder if I am
in charge of your
father's case.



Anyway,
"S"town.
is my town.
I'll show you
interesting
places next
time.

Thank you, but
I'm tired of
thinking about
"S"town.



Hee hee You've got an
"S"town phobia, haven't
you?

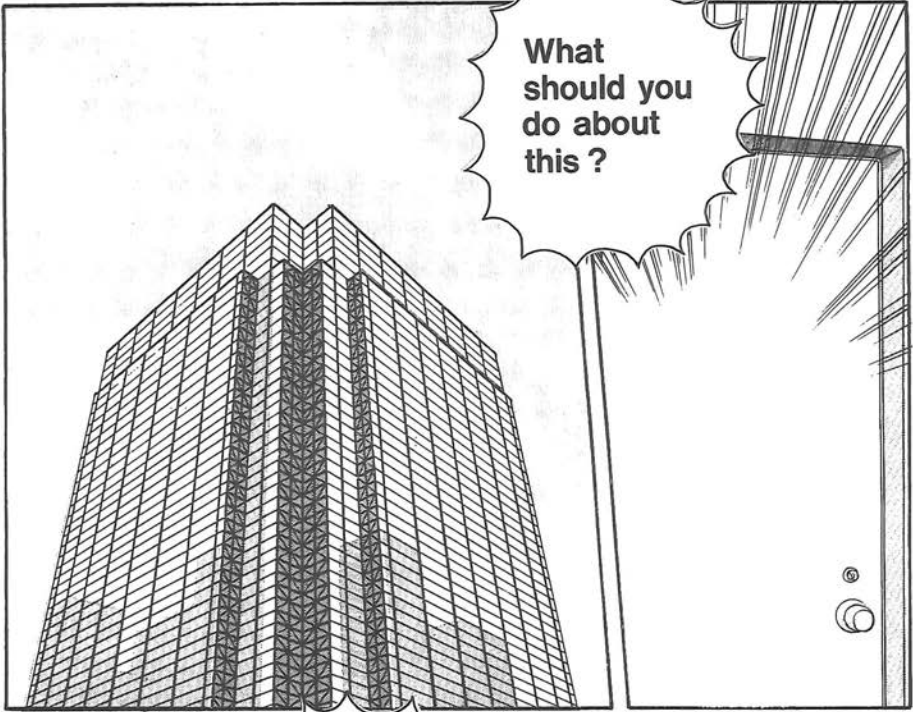


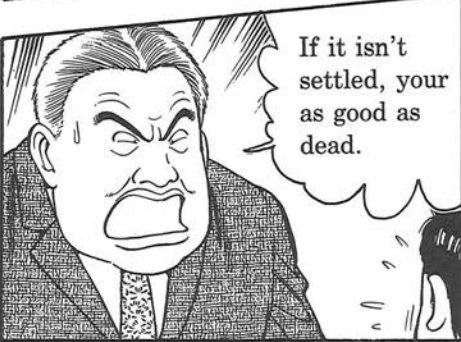
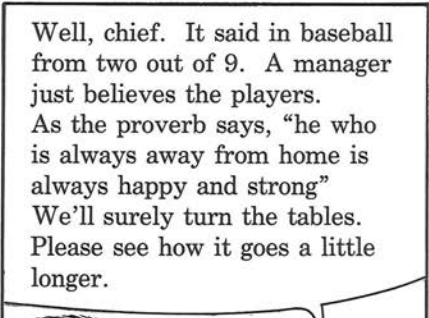
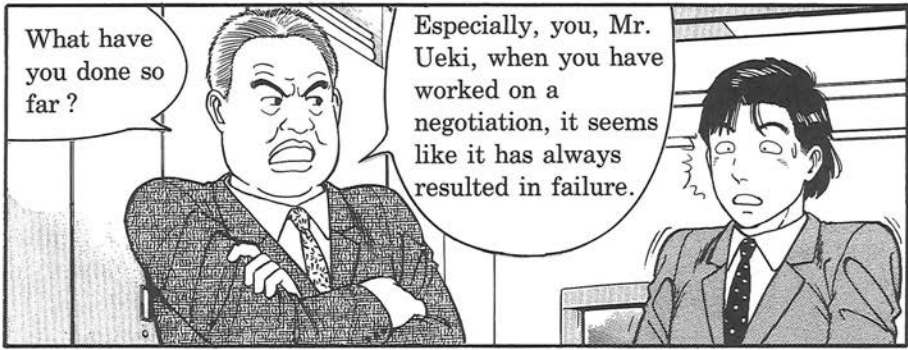
Well,
cheer up!
Let's go to
karaoke.

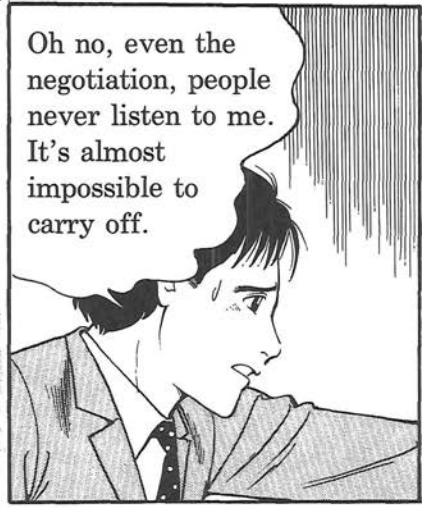
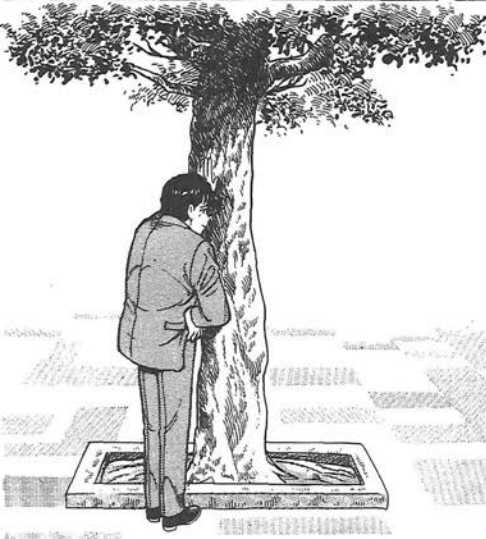
Ah!

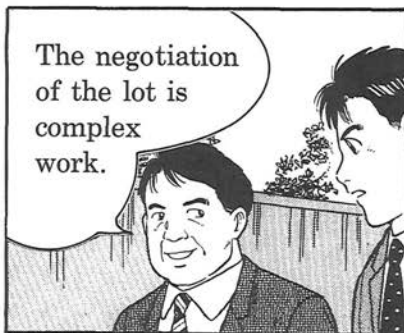
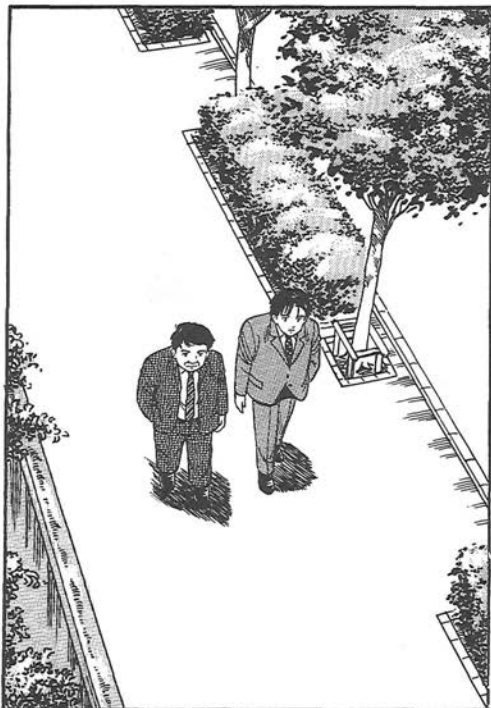
Thud!











Because it's a job in which confidence is demanded in us from our party concerned. But It's not so good to get too close to them.



Well, I'm going to explain the way to negotiate in plain English.

There are three big general rules for the negotiation.

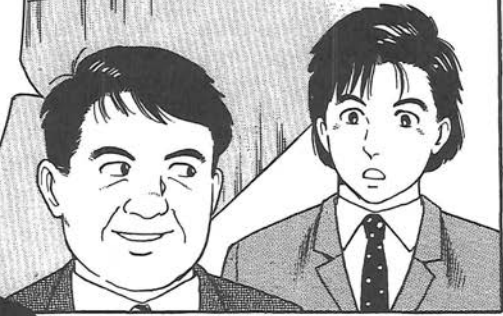
- ① Build a confident relationship.
- ② Be careful to be fair when compensating
- ③ Depending on the case, consider the requirement of gaining a confidential third person in the relative's presence.

It's too difficult for me.



We need the following five things for making confident relations.

- Sincerity**
- Open mindedness**
- Flexibility**
- Perseverance**
- Decision making**



First, I'll talk about sincerity. For example, you should always keep a promise. Don't be late for appointments.



Also, your language and appearance are important. You should not be flashy, and always keep yourself clean and neat. It's important to have a sincere mind as well as a sincere appearance.

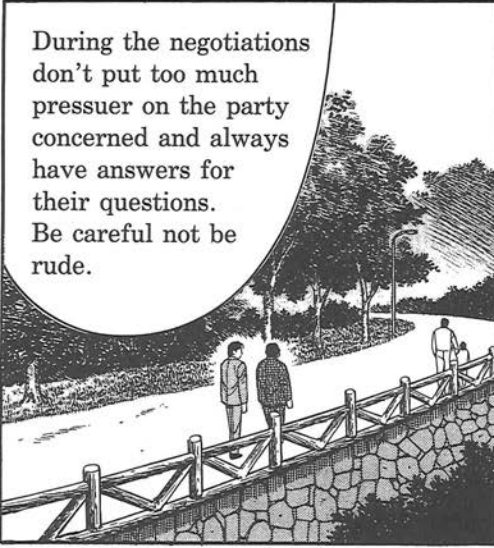
Handle negotiations with an open mind. Listen to others opinions and compromise when necessary.



It's not good to be too blunt.



During the negotiations don't put too much pressure on the party concerned and always have answers for their questions. Be careful not to be rude.



Flexibility is related to having an open mind. There are various kinds of people from different backgrounds, so we have to deal with them in an understanding and patient way.

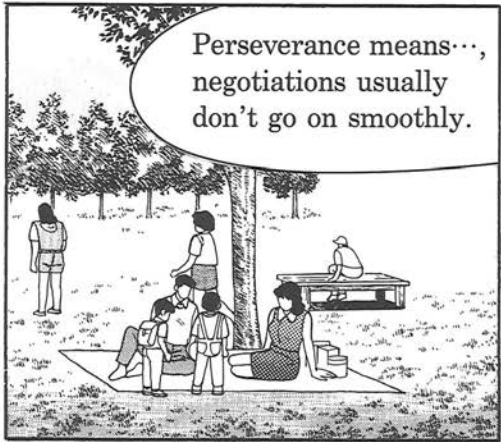


For instance, we need to relate to the party by discussing some common interests. We need cooperation.

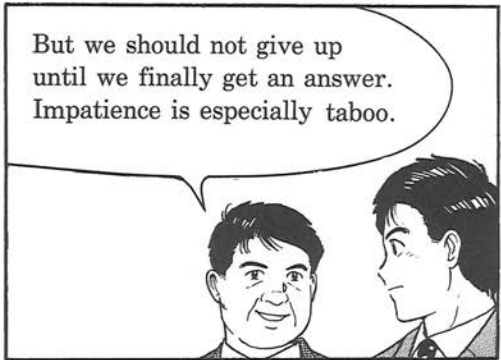


We need to discuss things competently.

Perseverance means... negotiations usually don't go on smoothly.



But we should not give up until we finally get an answer. Impatience is especially taboo.



Ah ...
patience.



Decision-making comes
when it's time for you to
reach the conclusion of the
case.

At that time you need the
right judgment.



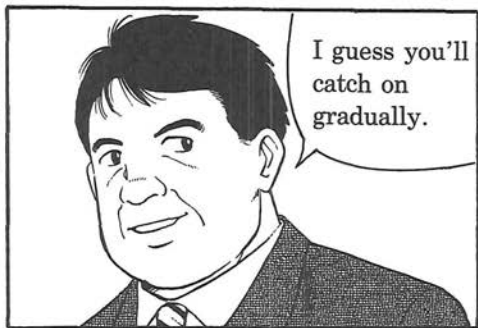
Even if you
compromise with the
party, you should
have the courage to
say No.



Hmm ... We
need to be
competent in
many things.



I guess you'll
catch on
gradually.



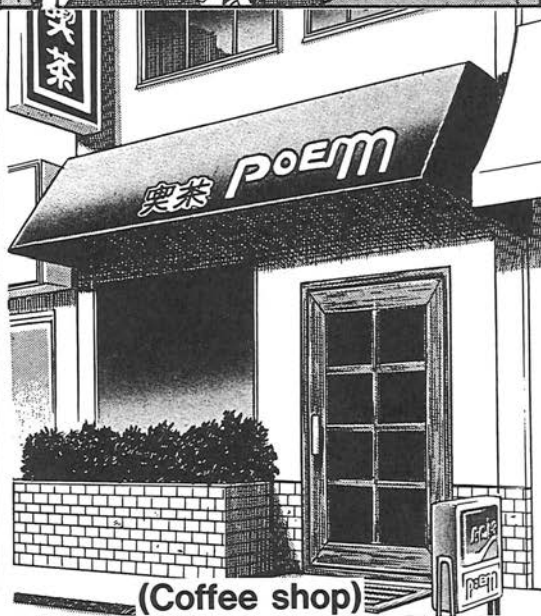
Is trust more important than all 5 of these ?



Yes, it's better to say that we don't buy and sell land, we buy and sell trust.



Well ...
I think I got it.



(Coffee shop)



Negotiation is divided into the first, the middle, and the final stage. We have a different aim in each stage.



The first stage ...

Yes ...



Advice during the first stage of negotiation

- ① First impressions are important.
- ② Create an atmosphere in which the party listen. Then be a good listener.
- ③ Get to know the personality and the negotiate appropriately.
- ④ Understand who has authority at the house.
- ⑤ When a person drinks alcohol, try to avoid him because he might change his personality.
- ⑥ Be punctual, we should adjust times for the party (In case there's a person who cares about neighbors we should visit them at night.)
- ⑦ The pair of us have to visit each house. Avoid situations that the people might misunderstand (for example don't visit women late at night)
- ⑧ The negotiation hours should be appropriate for the party (take a short time for young people, take a long time for old people.)
- ⑨ Don't go to the heart of the negotiation until a ripe opportunity.
- ⑩ To be able to answer questions, you have to understand the peculiarity and temper of the area.
- ⑪ Record the detail and contents of the land negotiation in the record book.

In addition to the 5 points, we should prepare as much as possible before negotiation.



What sort of preparation.

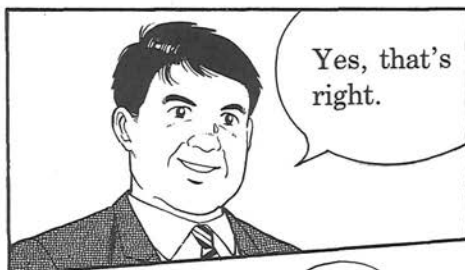
We should full analyzed and understand the local's situation. It's better to collect the information first. Then, we decide how to negotiate. If we make an in depth investigation, we can be ready to compromise at the right time.



I see.



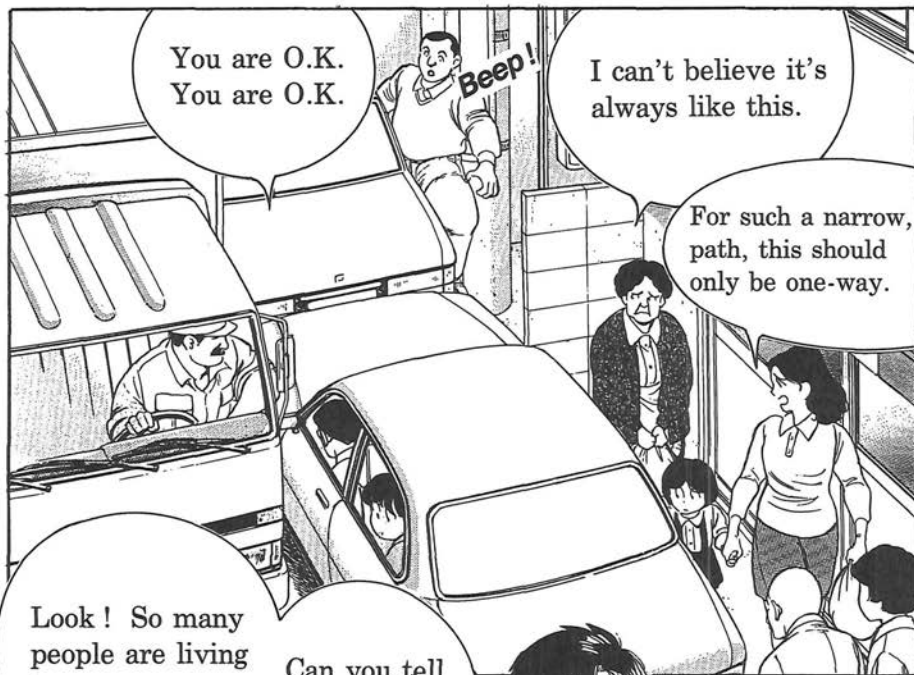
Prepare for not only the next move of the party but try to anticipate all their moves.



Yes, that's right.

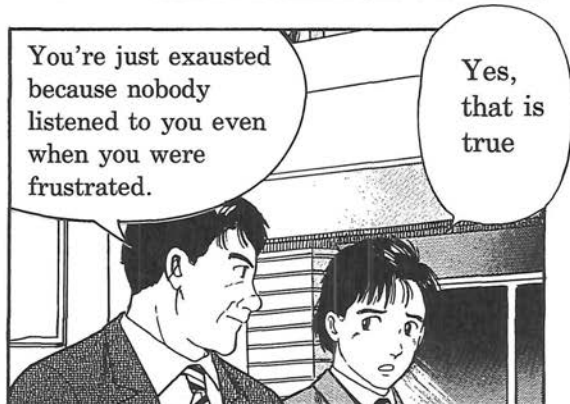


Well ... I think I'm getting it.



Look! So many
people are living
here.

Can you tell
how they fell
living here?



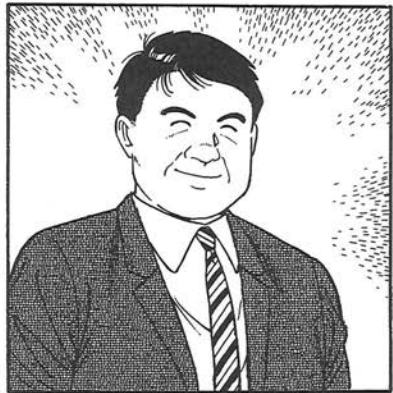
If the people living here are forced to leave their old hometown, of course they think we don't listen to them.



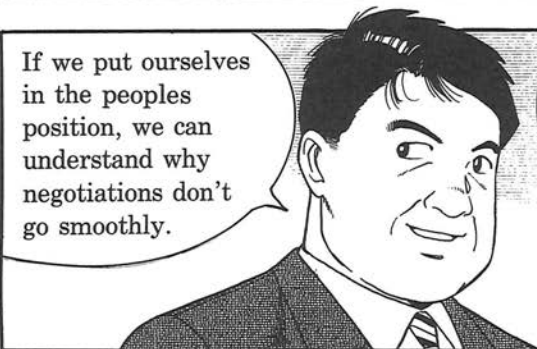
Yeah ...



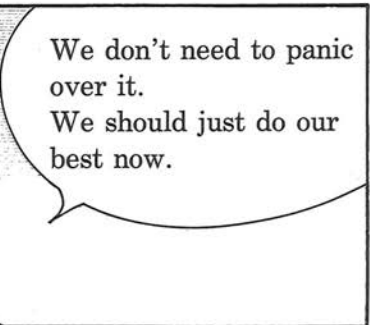
I think so.



If we put ourselves in the peoples position, we can understand why negotiations don't go smoothly.



We don't need to panic over it. We should just do our best now.



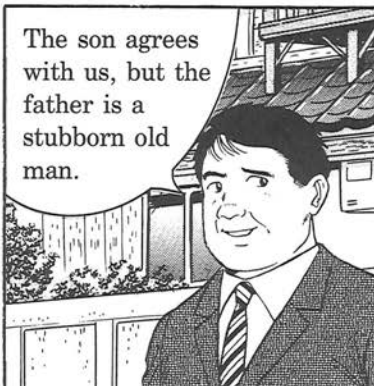




How many times have we come here ?

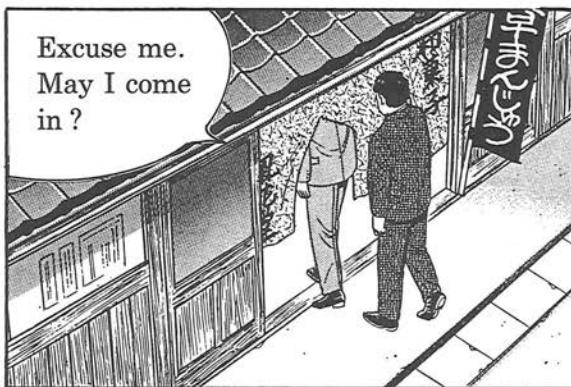
Today is the 8th time.

The son agrees with us, but the father is a stubborn old man.



I'm going to do the talking today.

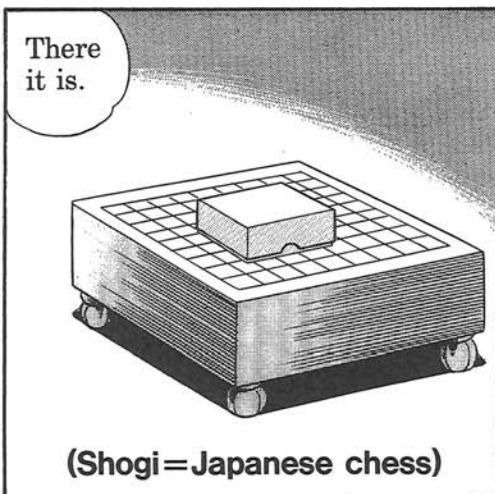
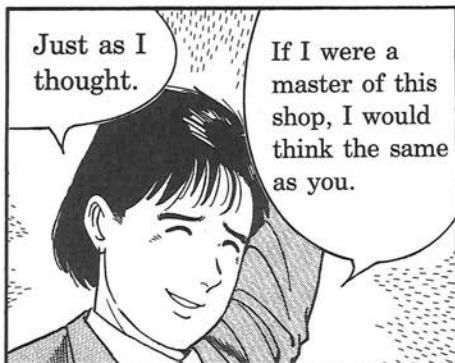
Excuse me. May I come in ?

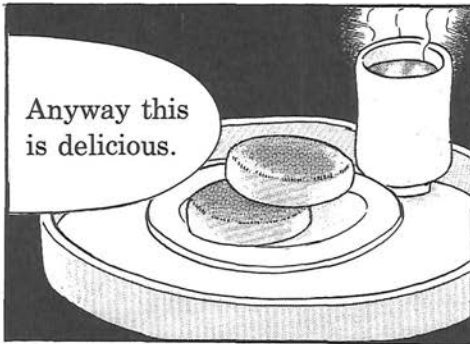
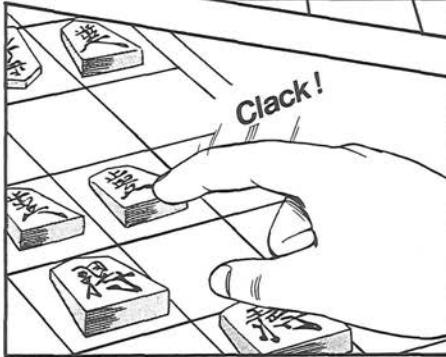
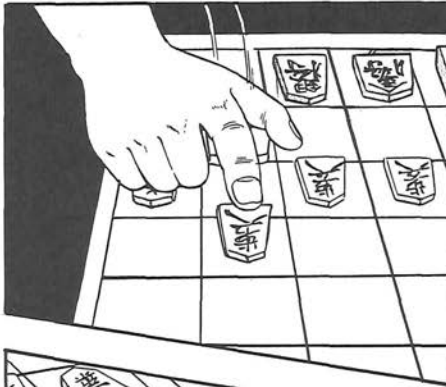




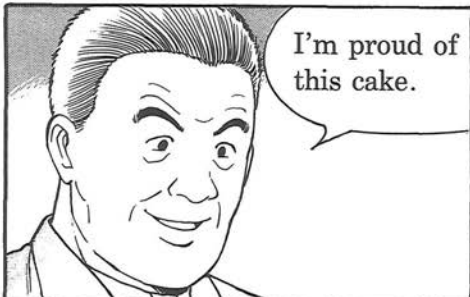
Think ! Here is very old shop
and has been around since my
grandfather's time.
We have regular customers so
it's ridiculous to leave here.

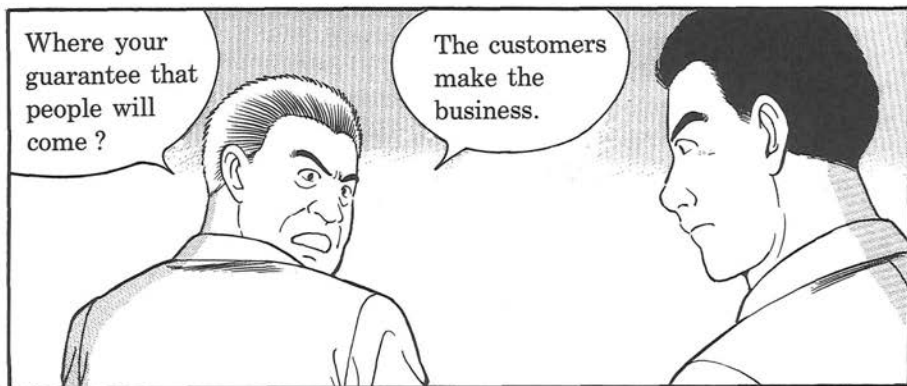
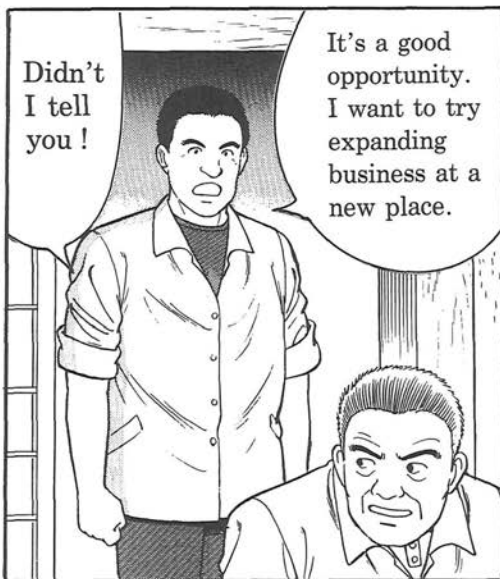
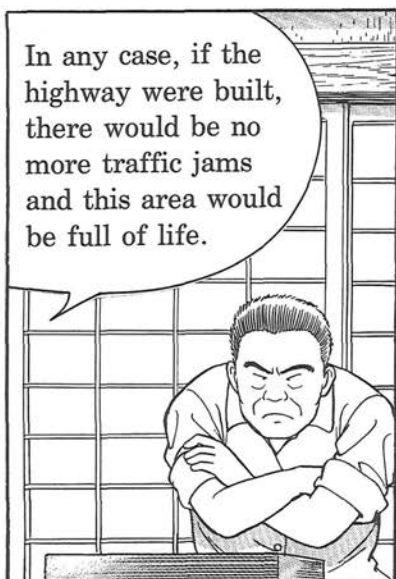
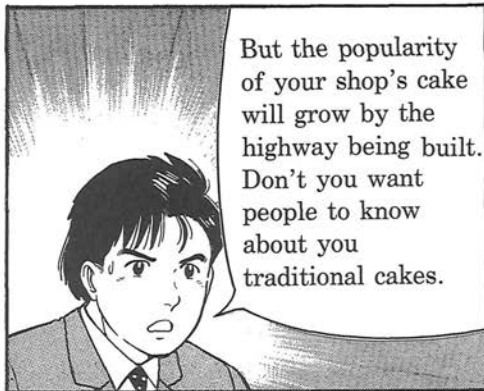
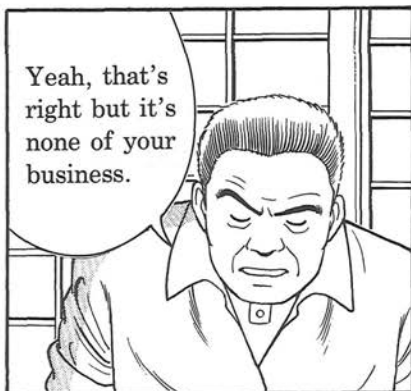


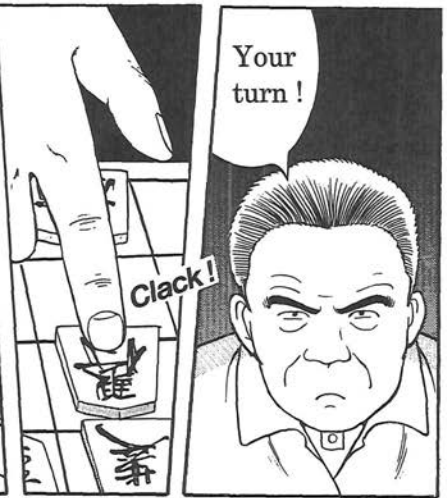
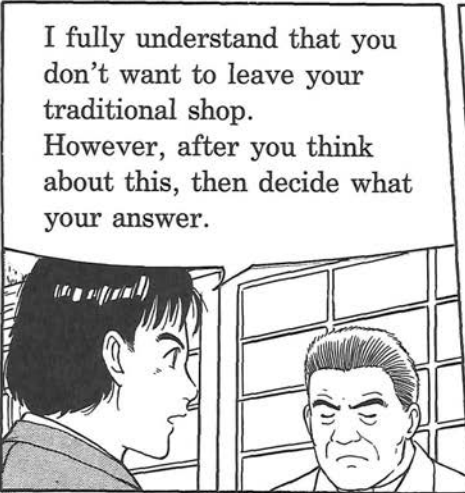
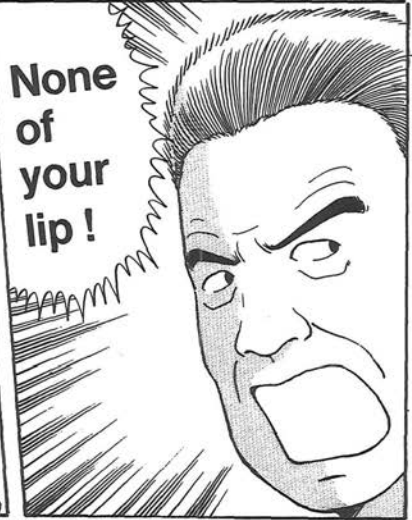


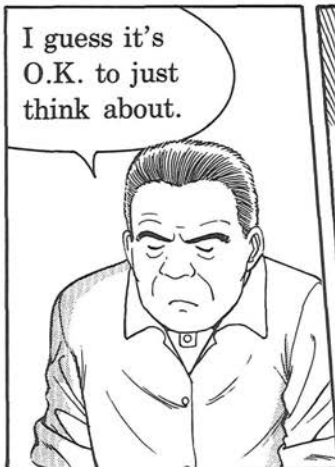


Anyway this is delicious.

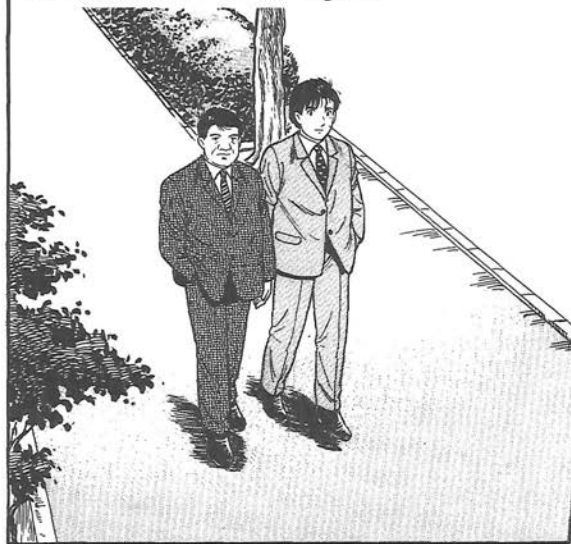








After a year, the negotiations have reached the middle stage and I have become accustomed to this job.

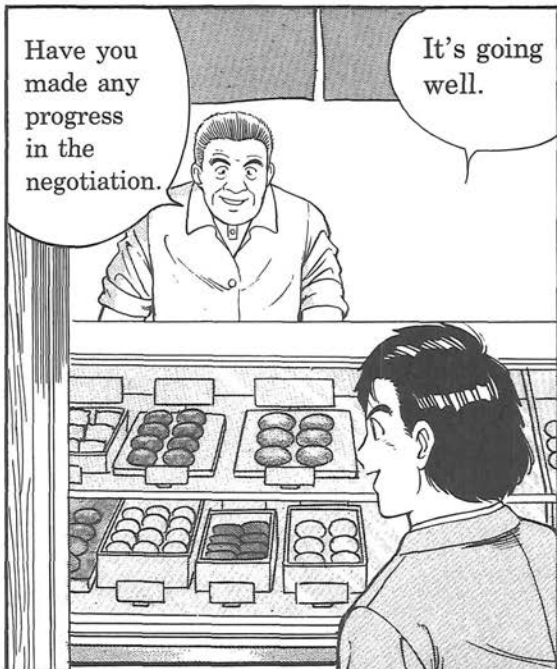


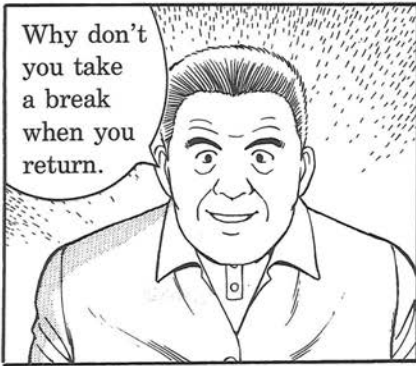
(advertisement)



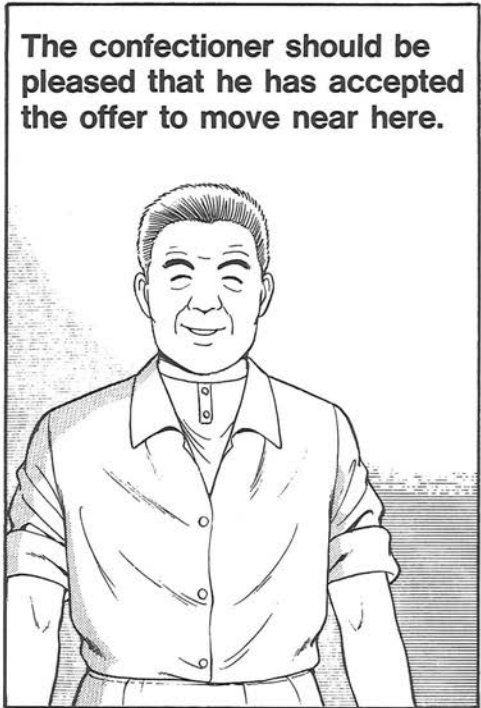
Have you made any progress in the negotiation.

It's going well.

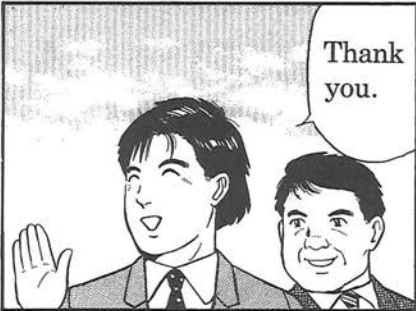




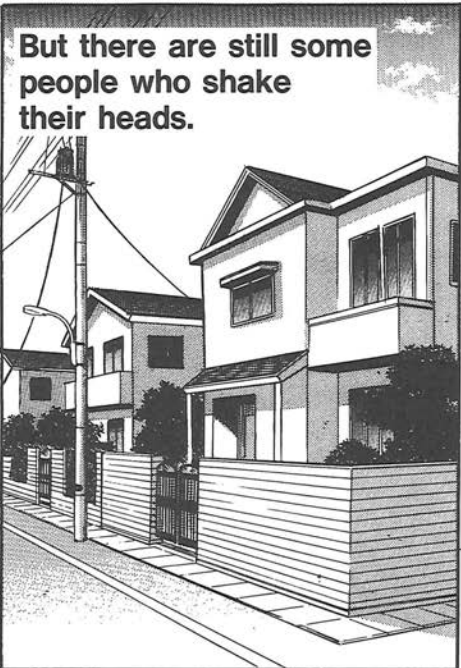
Why don't you take a break when you return.



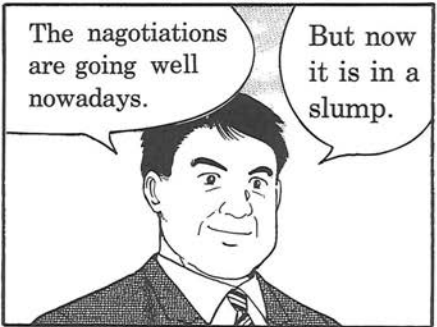
The confectioner should be pleased that he has accepted the offer to move near here.



Thank you.

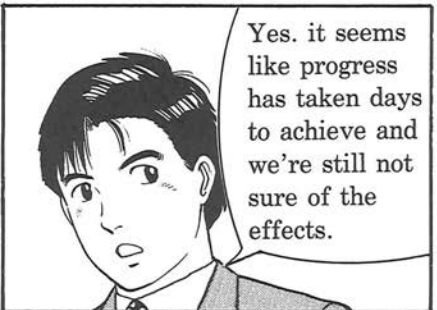


But there are still some people who shake their heads.



The negotiations are going well nowadays.

But now it is in a slump.

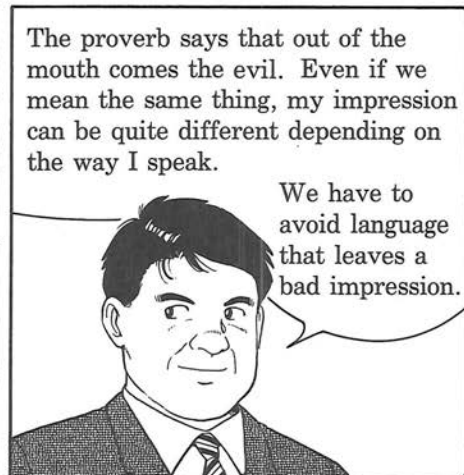


Yes. it seems like progress has taken days to achieve and we're still not sure of the effects.



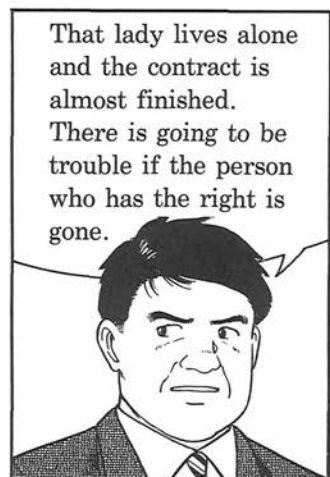
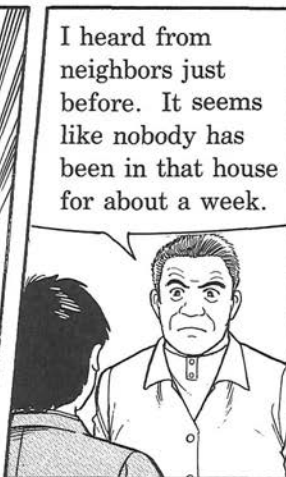
Advice during the middle stage of negotiation

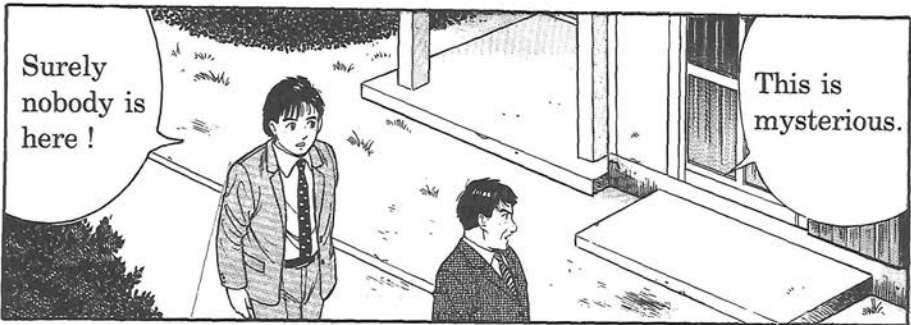
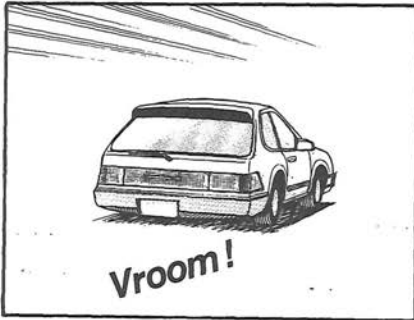
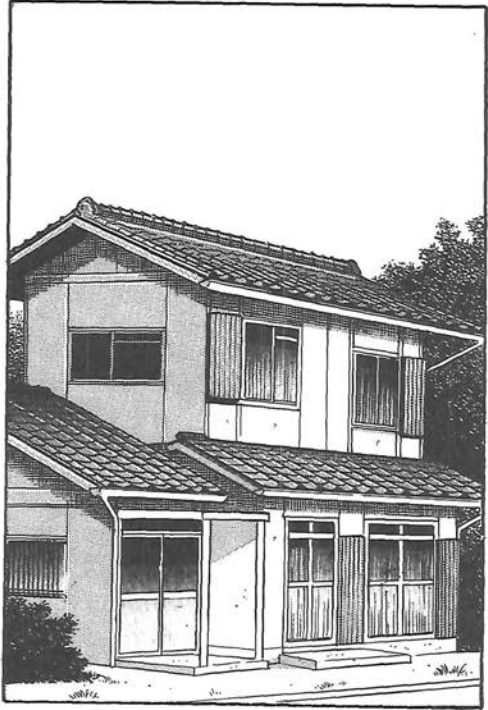
- ① Don't forget the subject has just cause like that of the public and the public benefit project.
- ② Avoid ambiguous talk. Confirm constantly during the talks.
- ③ If we give evidence with statistical figures, our negotiation will be more persuasive.
- ④ Negotiations need breaks now and then.
- ⑤ Don't hurt their pride, we must respect the party's opinion at all times.
- ⑥ We should correspond calmly and not hesitate because of threats.
- ⑦ It is important not to stir their emotions because the talks will sometimes get out of control and leave you head over hills.
- ⑧ If you are not sure say so. Don't concede vaguely.
- ⑨ It's not always good to talk persistently. It's important to know when to stop and end the talk.
- ⑩ When you leave the house, keep good manners and create an opportunity for the next visit.

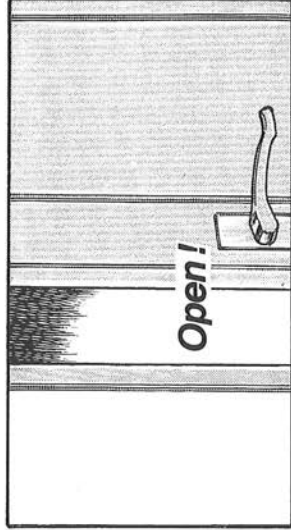
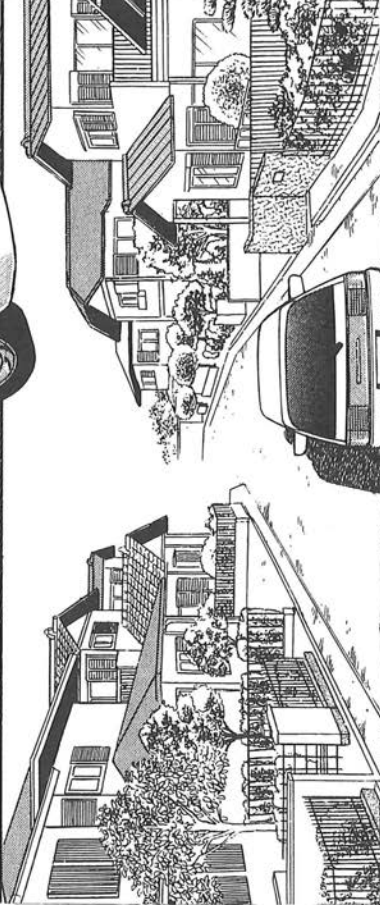
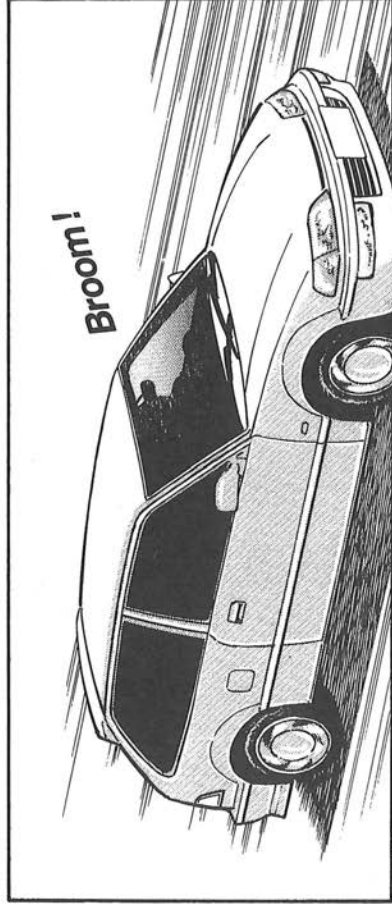


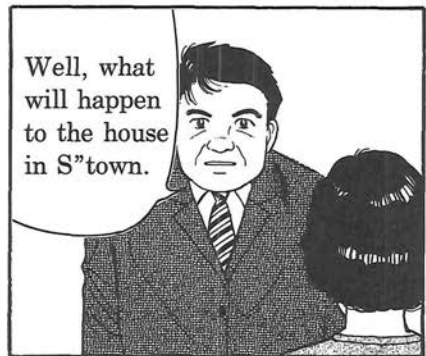
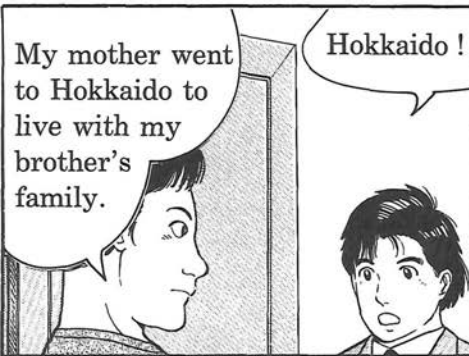
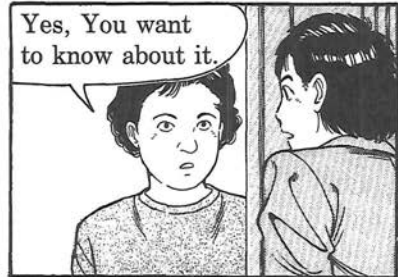
Advice on How to speak

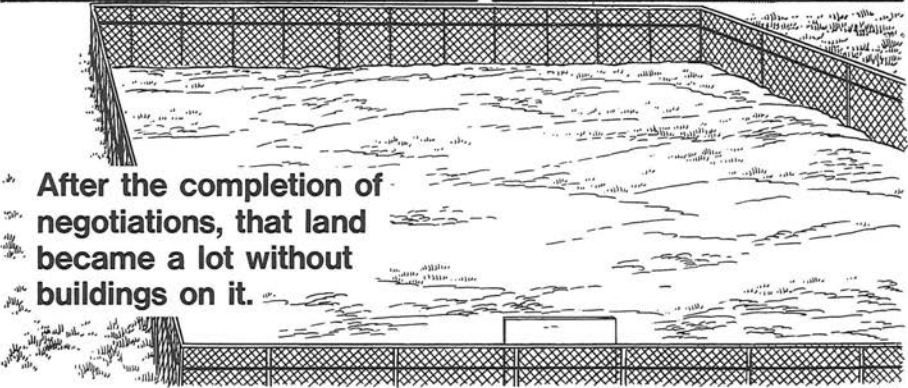
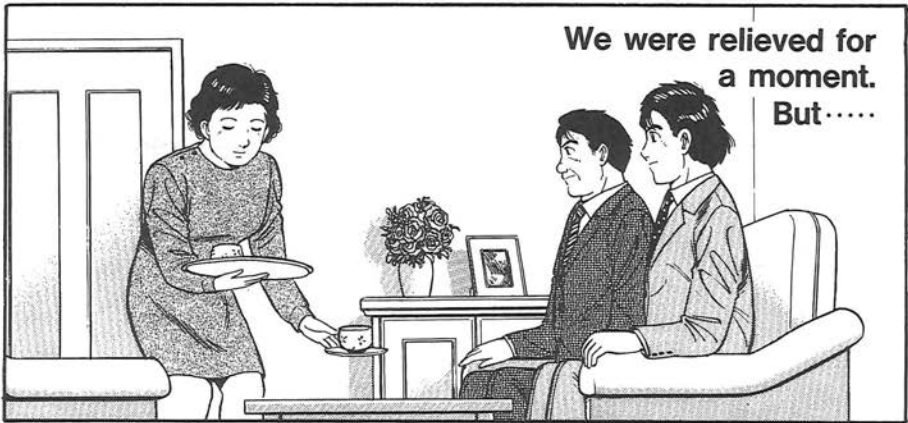
- ① Avoid technical terms. Also avoid vague terms.
- ② Use respectable words when talking to the party. Don't use them when talking to colleagues (even seniors)
- ③ Avoid words which the party may dislike and vulgar expressions.
(For example; If the party has a child preparing for entrance examinations, avoid words like [fail], [cancel] etc.,)
- ④ Avoid negative expressions. Use positive words.
(For example; change [Is that bad ?] to [Is that OK ?])
- ⑤ Use gestures and head nods to talk enthusiastically

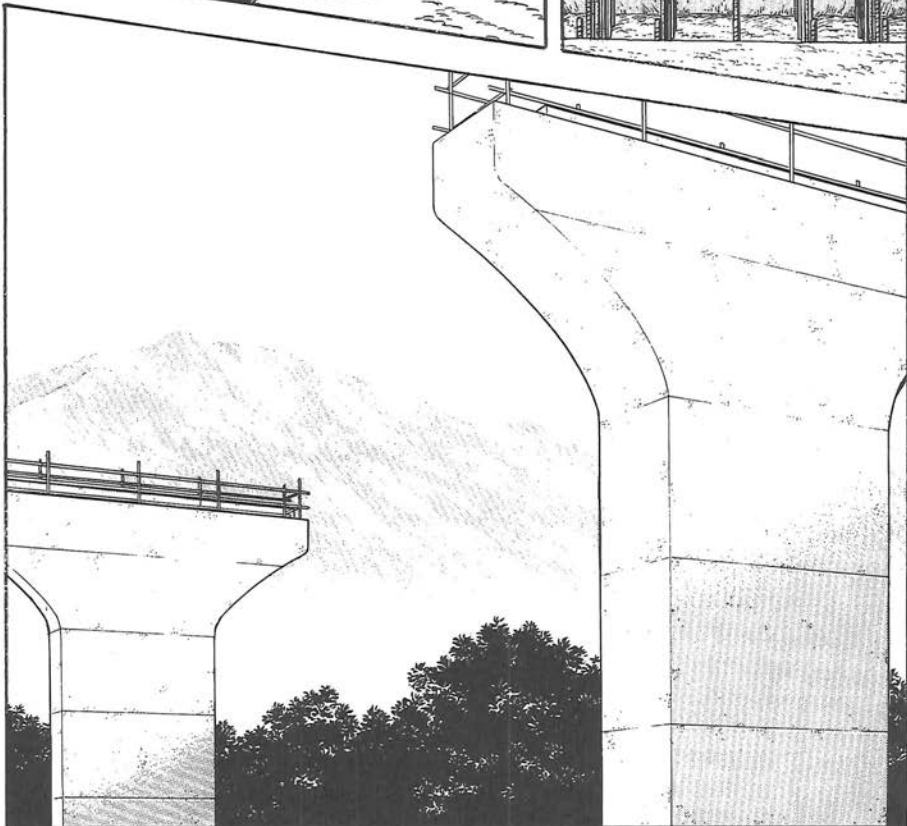
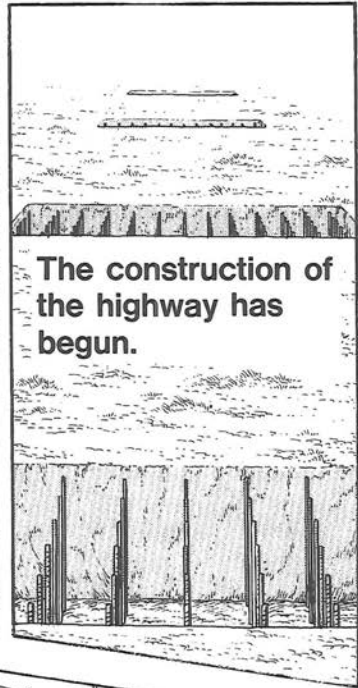
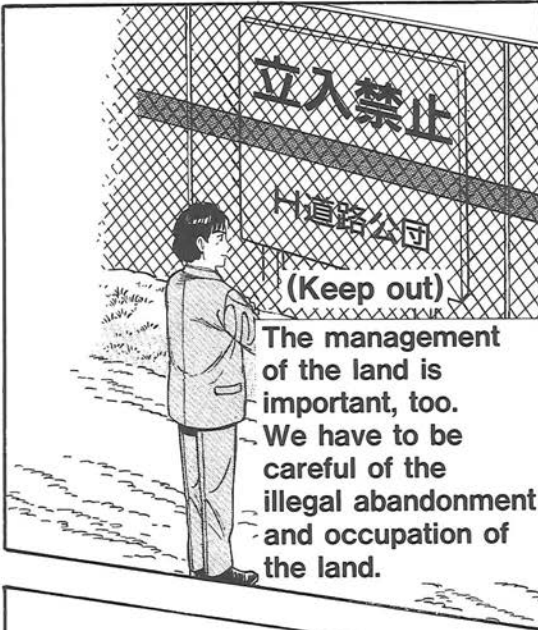


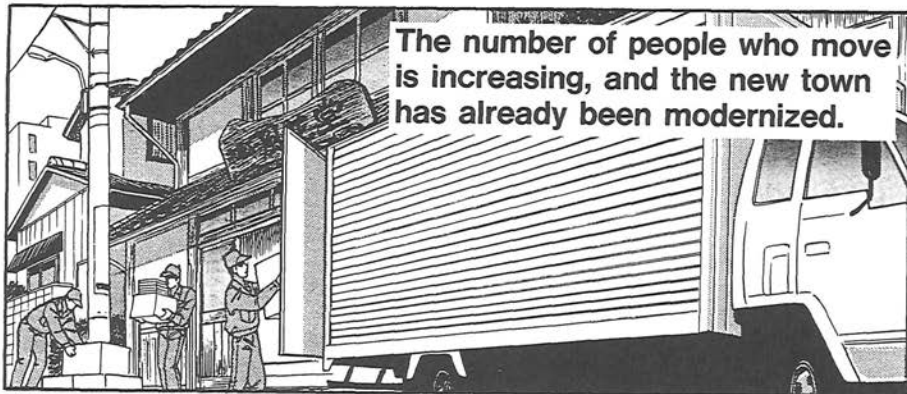




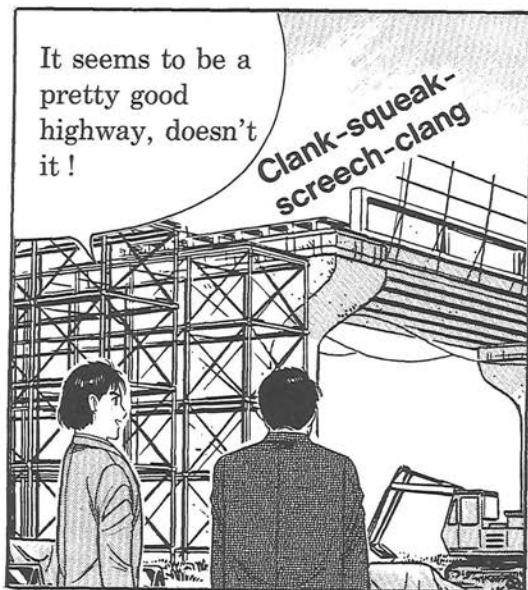






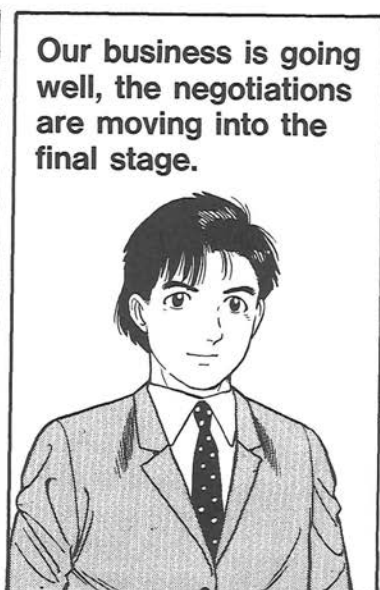


The number of people who move is increasing, and the new town has already been modernized.

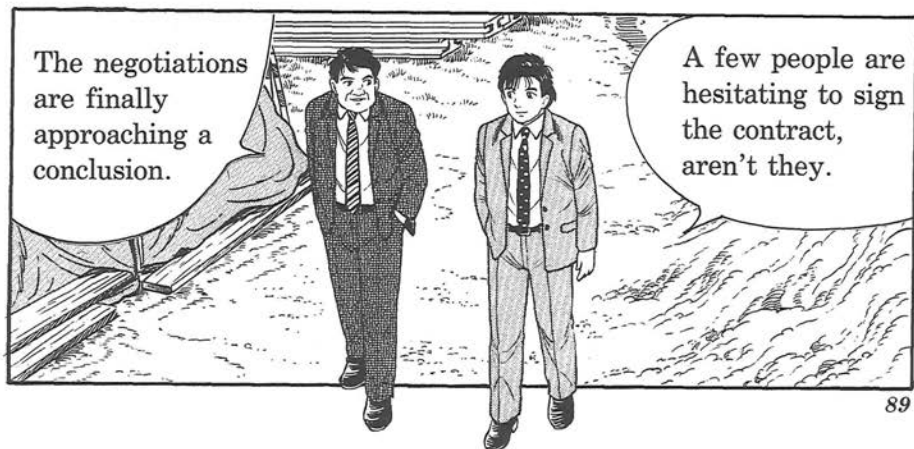


It seems to be a pretty good highway, doesn't it!

Clank-squeak-screech-clang

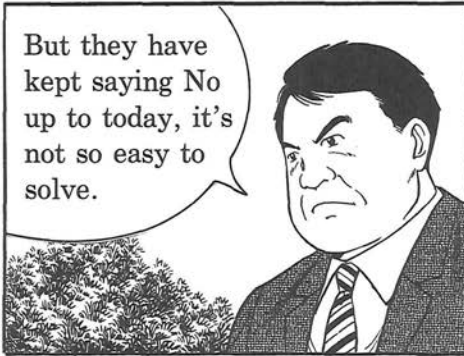


Our business is going well, the negotiations are moving into the final stage.



The negotiations are finally approaching a conclusion.

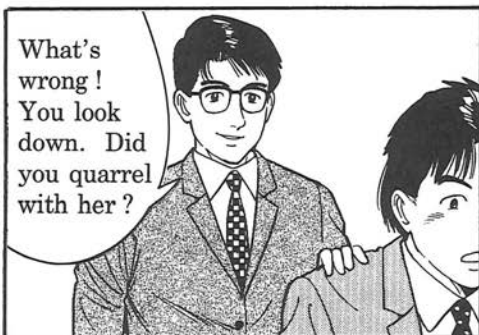
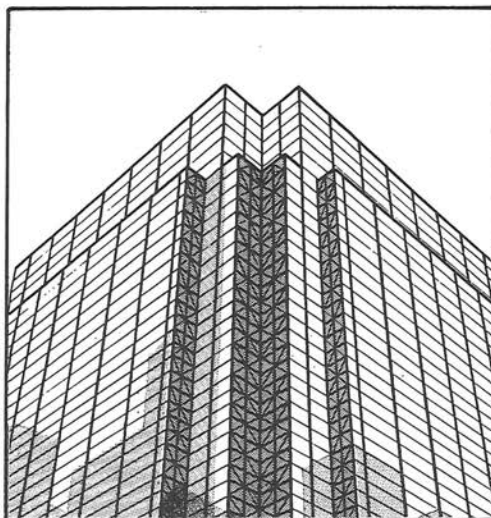
A few people are hesitating to sign the contract, aren't they.

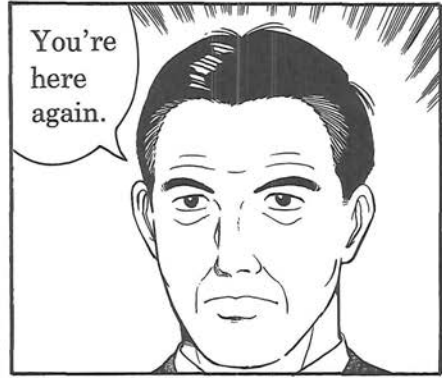


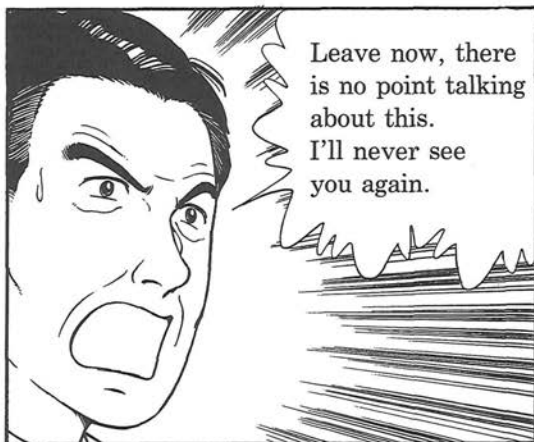
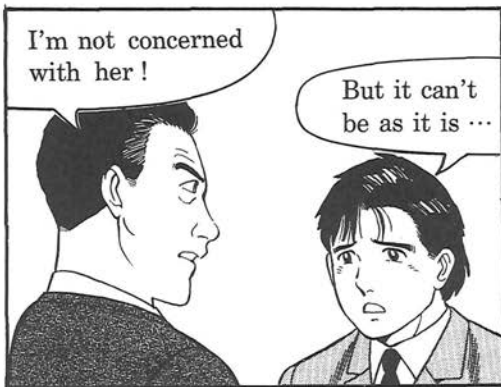
Advice during the final stage of negotiations.

- ① If you get stuck, don't be confused and take things easy.
- ② Don't make the party feel pressure.
- ③ Change your view and look over differences of opinion between you and the party again and polish up your strategy.
- ④ Find out what they has slight problems with and what they're against clearly.
- ⑤ After negotiations, try to reflect and think whether we forced them or not again.
- ⑥ Don't give up waiting, time will resolve the matter.
- ⑦ We should sometimes consider asking for help from outsiders to negotiate indirectly.
- ⑧ Don't be off focus and define the target of the talks.
- ⑨ Make the other person cut off their own delusions, make them understand clearly what's important.
- ⑩ Understand when the negotiation will end, at that time bring it to a close quickly and with confidence.

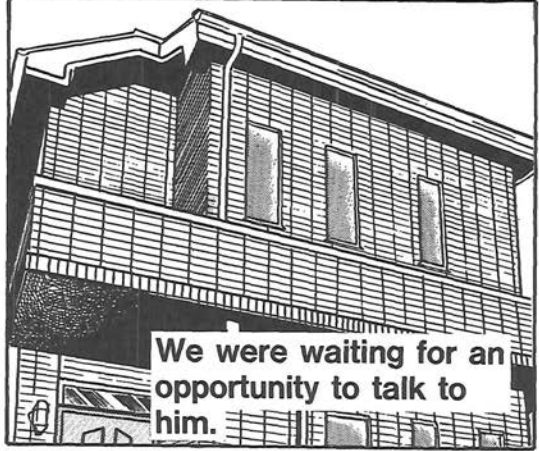








But we can't leave
this situation as it
is ...



We were waiting for an
opportunity to talk to
him.

But we tried to meet him
many times in vain.



We will discuss about an
expropriation at last.
If we cannot reach a
conclusion, then the final
step will be expropriation.
We will have to refer to a
3rd party to judge what
are fair conditions.

If we took the expropriation
procedure, we have to
submit the report that
recorded the content of the
conference until then.

We have to gain progress
at the compensation
negotiation by keeping
this expropriation decision
in our mind.



But as for me I didn't want to talk about even the expropriation.



Dad !
I'm home.

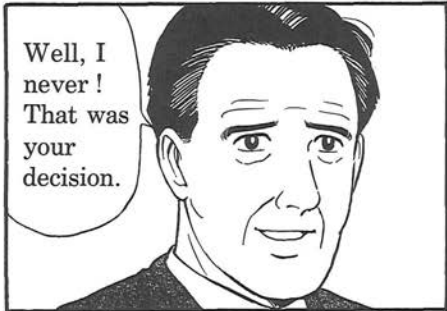
Oh, my daughter.



Well, what did you come here for ?



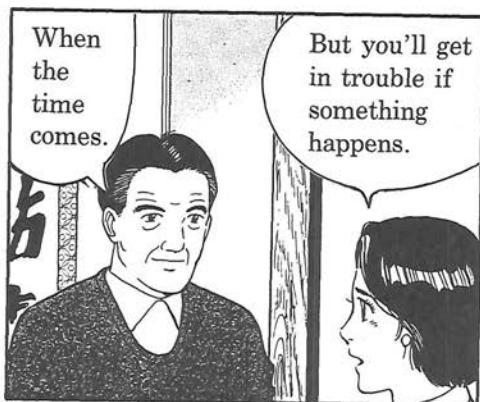
Are you still angry that I left here ?

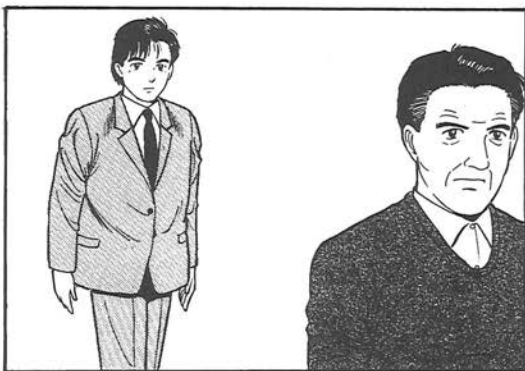
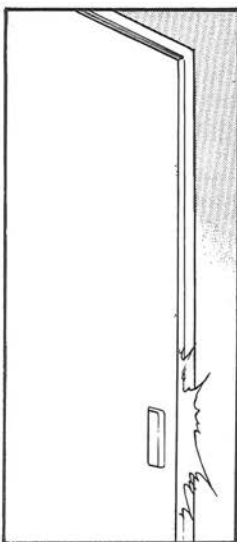


Well, I never ! That was your decision.

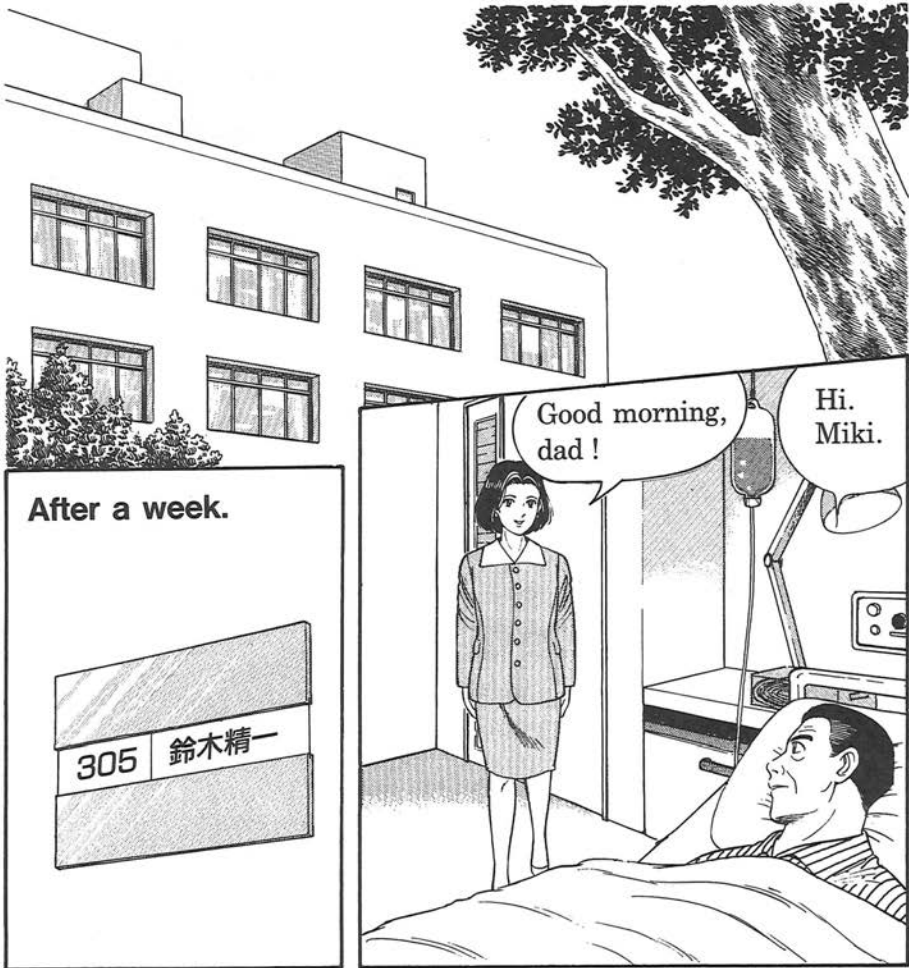


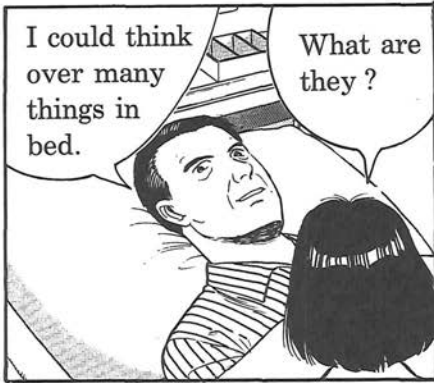
Will you live your life here ?

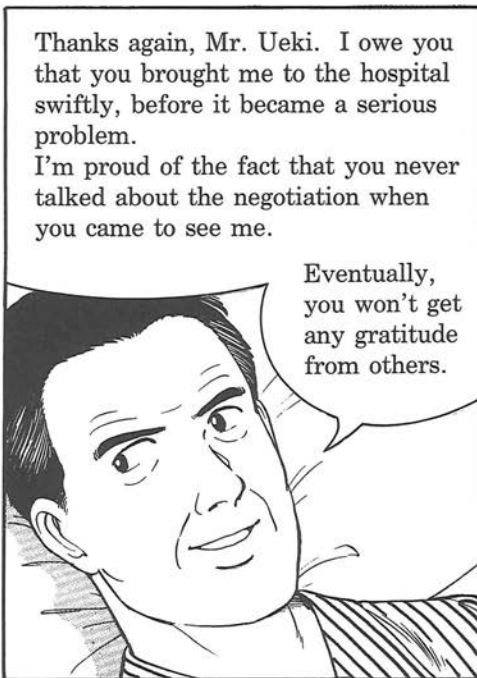


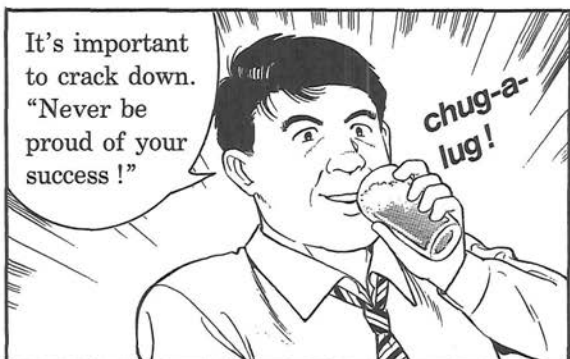
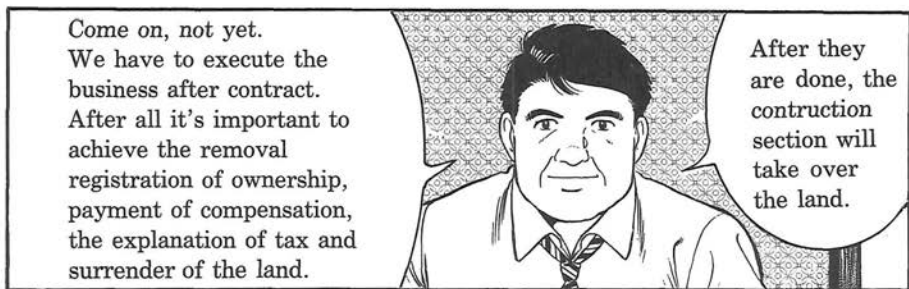
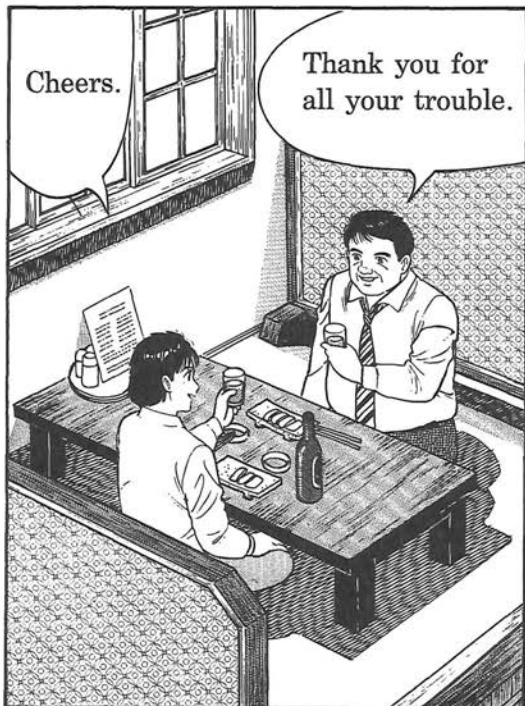


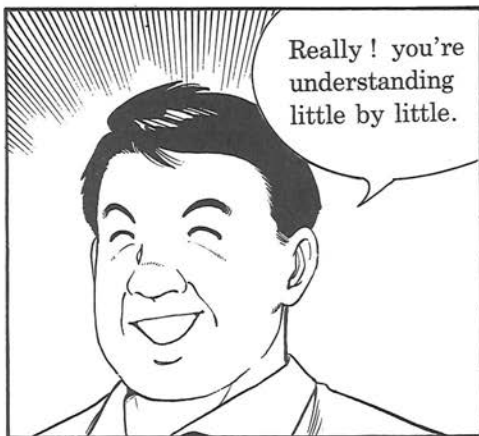
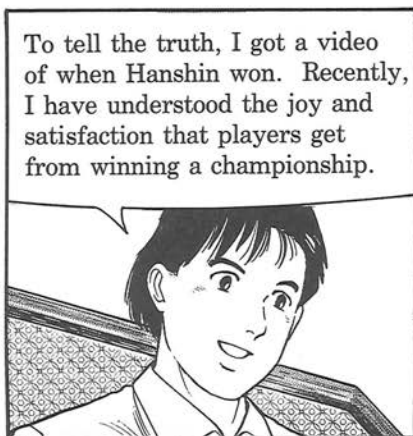
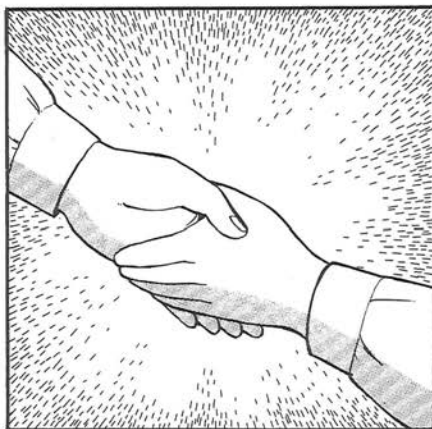
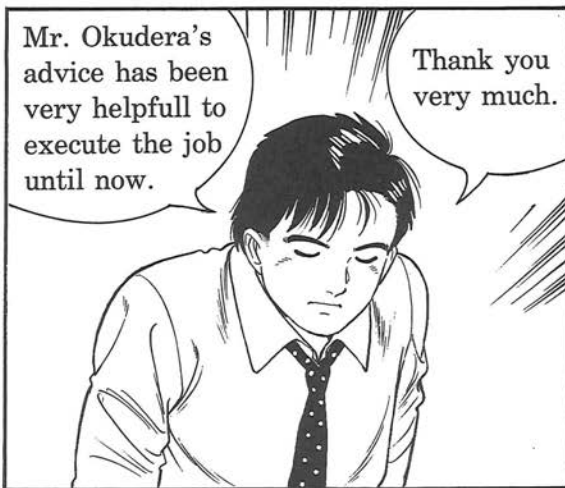


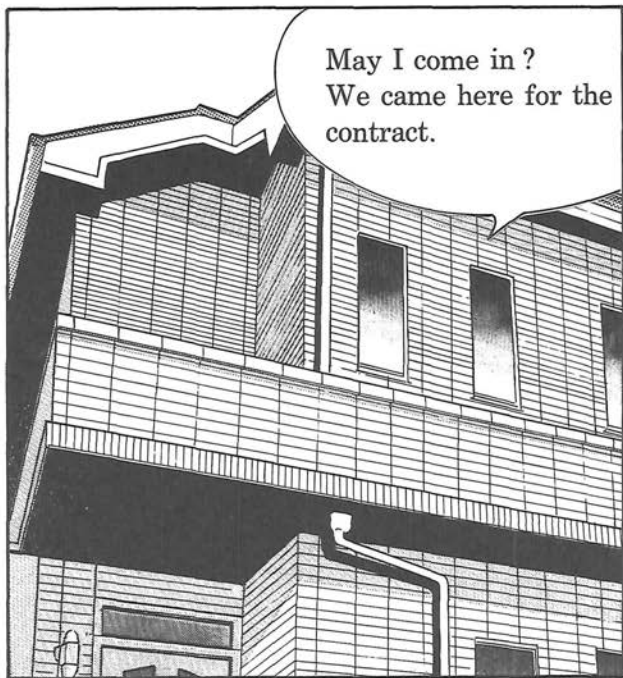












The points of the contract


- ① The contract will be drawn up by our side before using the set form.
- ② Be careful to get rid of mortgages that existed before the contract when the mortgage and the other security interest is established for land and the building.
- ③ Buying land assumes the land removal registration to our side. The documents we need is given by the party.
- ④ When they sign the contract, they have to hand in the signature stamp proof to us. Then we can certify that the stamp is authentic. In case of an incorporated company, they should hand in the proof of licence, too.



The compensation will be paid after we receive the demand from the person who contracted after its completed.

It'll take a few months for payment to proceed after we get the demand. Please acknowledge about it beforehand.


Where is the document of request ?




Here it is.



Then basically, payment is to the person who contracted to a designated banking organization.



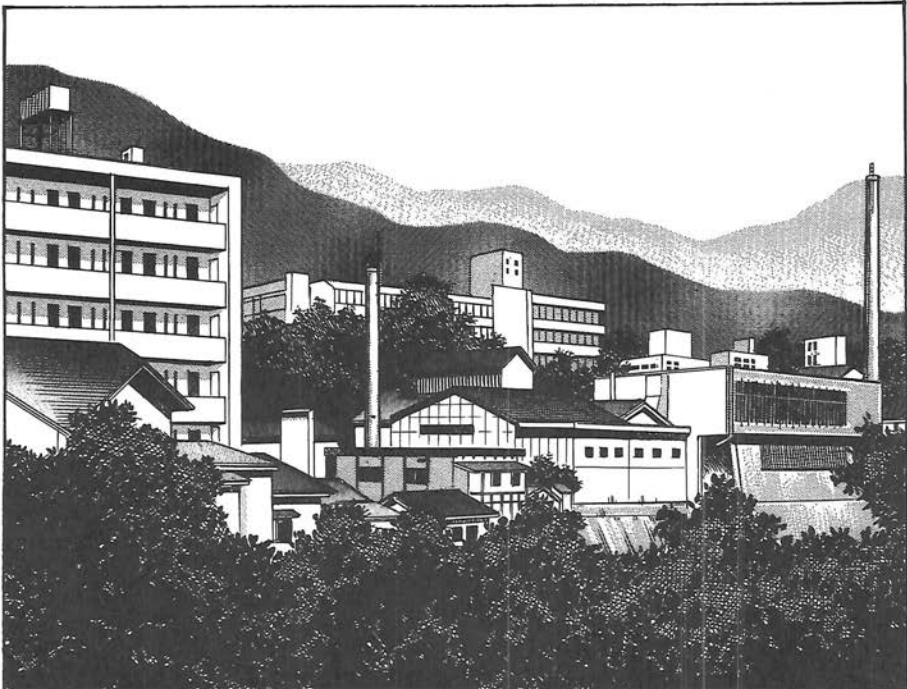
Will the tax be included in the compensation ?





About the special tax exemption toward the compensation.

As this land compensation is carried out as city planning project, the tax will be adjusted with special exemption by the special tax law toward the compensation which will be paid to the contractor. However not all of the compensation but for the compensation toward the property such as the land and the building (Only compensation for the equivalent value such as compensation for land acquired, compensation for lapse of rights, compensation for removal expenses of buildings and compensation for tenant) will be included.





Tatsuhiko.
Come here !



I'll guide you through
the places where
you've never been
to in "S"town.

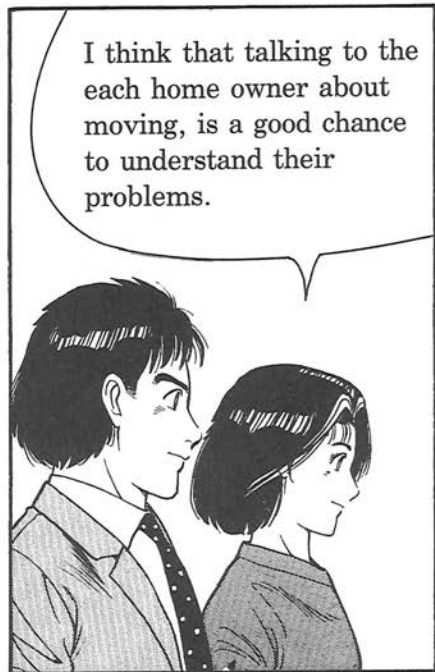
Oh yeah.
are there
such nice
places ?!



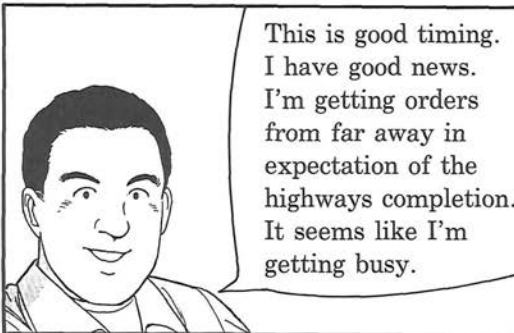
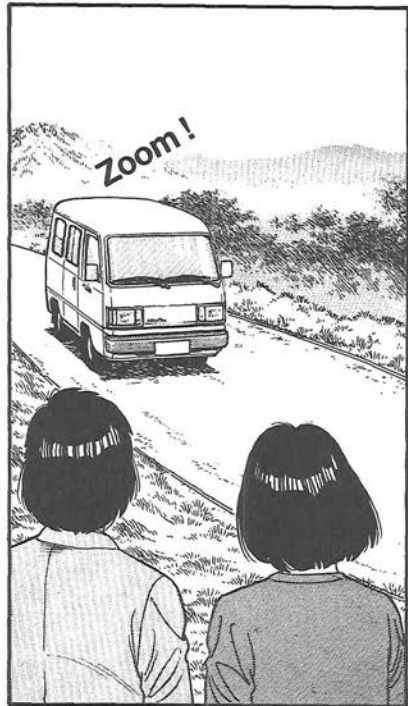
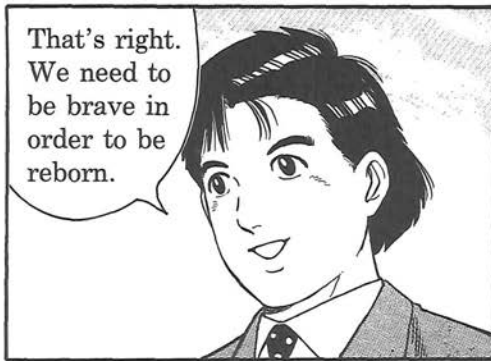
It's a great
view, isn't
it.

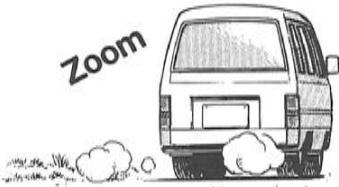
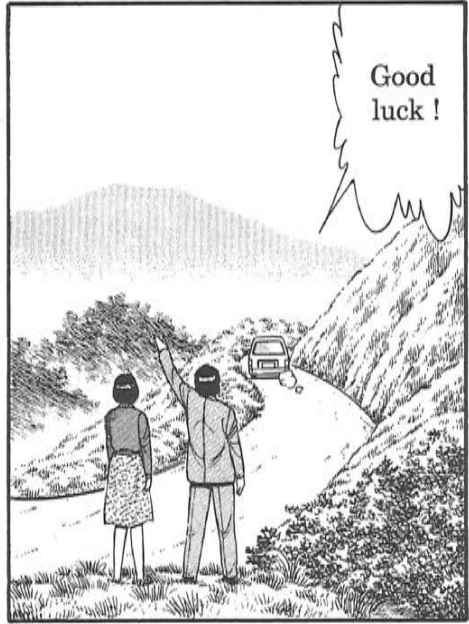
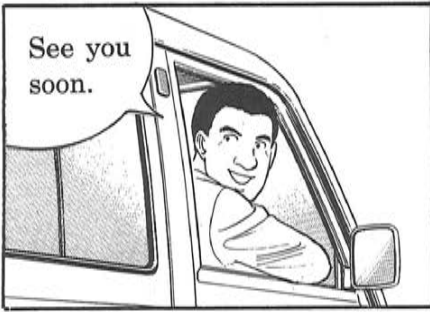
This town will
be reborn in
future.

Yeah.



I think that talking to the
each home owner about
moving, is a good chance
to understand their
problems.





The highway is near completion !!

The Guideline of Standard for Compensation for Loss Caused by Acquisition of Land for Public Use

Cabinet Decision (June 29, 1962)

Revised (December 12, 1967)

Chapter 1 General Provisions

Article 1 (Purpose)

1. The purposes of this guideline are to provide for the standards for compensation for loss in connection with acquisition or use of Land and others that are required for the project for which land may be taken or used in accordance with the Land Expropriation Law and other laws, and thereby to ensure smooth implementation of the project and appropriate compensation for loss.

Article 2 (Definition of Terms)

1. "Land and others" mean land, such as are enumerated in Article 5 of the Land Expropriation Law, standing trees, buildings, and other articles affixed to the land, as listed in Article 6 of the Act, and earth, stone, sand and gravel listed in Article 7 of the Act.
2. "Acquisition of Land and others" means the acquisition of land, articles, earth, stone, sand and gravel defined in the foregoing paragraph, and the lapse of right defined therein.
3. "Use of Land and others" means the use of Land and articles defined in the first paragraph of this article and the restriction of right defined therein.
4. "The holder of right to the Land and others" means a person who holds right to such land and others which is involved in the acquisition or use, a person who holds right to land which contains earth, stone, sand and gravel defined in the first paragraph of this article, and a person who holds right to an article affixed to such land which is subject to any right hereunder or which contains earth, stone, sand and gravel and aggregates hereunder.