

## Abstract

This thesis deals with easements. The main purpose of this thesis is to comprehensively analyse easements according to the effective legislation, the Act No. 89/2012 Coll., the Civil Code. The thesis works with a wide range of judicial decisions, which are related to the topic. This thesis also describes some problems, which may occur in practice.

The thesis is divided into an introductory chapter, six main chapters and conclusion. The introductory chapter covers an introduction of the term easements, its actual importance and role in the society and specifies the goal of my thesis.

The first chapter is focused on the theoretical background of easements, which belongs to the absolute property rights, *iure in re alinea*.

The second chapter provides a historical excursion of easements. First, this chapter describes the origin and the importance of servitudes in Roman law. It is followed by the regulation according to the ABGB 1811.

The third chapter concentrates on the regulation of easements according to the Act No. 141/1950 Coll., the Civil Code. This Civil Code was vitally important for the term easements, which appeared in the civil code for the first time.

The fourth chapter mentions the development of the institute according to the Act. No 40/1964 Coll. This Civil Code contained a plain regulation of the institute, as easements were not considered to be so important.

The most essential part of this thesis is the fifth chapter, which is called easements regulated by the Act. No. 89/2012 Coll. The chapter itself is divided into two main subchapters – servitudes and real burdens. These subchapters are divided into several sections. The subchapter called servitudes deals with the owner's servitude, its extent, contest, prevention, origin, legal relations and competition of servitudes. The second subchapter aims to describe the redemption of real burdens, its establishment, real burden consisting of current performance, the duty of the owner of the encumbered thing and extinction of the real burdens.

The last chapter provides a short overview of the regulation in Germany.

There is a final conclusion at the end of this thesis, which summarises the findings which the author has discovered while studying this topic.