

**Streszczenie rozprawy doktorskiej Mgr Dariusza Nasilowskiego /j.angielski/ pt:  
„Management of agricultural real estate located within the urbanized area of the Warsaw  
agglomeration. Legal and organizational issues”**

The PhD thesis concerns the issues of agricultural real estate and other urban areas with the characteristics of enclaves. The subject and territorial scope of the work is limited to the urbanized area of the Warsaw agglomeration.

The work indicates in particular that agricultural properties and other undeveloped properties, located within the administrative boundaries of the Capital City of Warsaw, constitute specific enclaves. The work provides an opinion that enclaves are subject to various management on-going processes. These processes take place in reality, regardless of the property urban location, and are implemented in a specific manner.

The main thesis of the work is that the on-going processes of managing over agricultural real estate and other urban areas having the features of urban enclaves located within the urbanized area of the Capital City of Warsaw, suffer many collisions of norms and collisions of legal interests as they result from many legal regimes. These regimes differ as they result from various statutory regulations which are in mutual conflicts.

In the work there are being analyzed the disclosed conflicts taking place, not only within the regulations and legal norms themselves but also in reference to the conflicts between public-law interest and private-law interest.

In the work it is proposed to adopt into the Polish legal system a new legal term of the ‘city enclave’. Such a term is yet not existing in the Polish legal system. This term would be a legal term, defined at the statutory level, and implemented for example into one or several acts: Real Estate Management Act of 1997, the Act on Agricultural Property Management of 1991, the Act on Planning and Spatial Development of 2003 or into other enactments e.g. municipal constitutional laws like the act on the constitution of the Capital City of Warsaw of 2002. As a result of such legislative action being a part of the applications *de lege ferenda* and implementing the term of ‘city enclave’, many legal and terminological issues would be put in order and systematized. It refers to terms: ‘agricultural enclave’, ‘forest enclave’, ‘urban land’, ‘agricultural real estate’, ‘agricultural usage land’, ‘forest land’, ‘forest’, ‘agricultural area’, ‘urban greenery’, ‘decorated urban greenery’ and also ‘botanical garden’ or ‘land use (planning)’ and other terms.

The concept and the term of 'city enclave' in the author's assumption would refer to urbanized areas, which have the characteristics of enclaves and differing in status, but similar in functions to be fulfilled in the public space of urbanized areas. They would contain strictly agricultural lands but also city parks, reserves, allotment gardens, city forests and, in case of the Warsaw agglomeration, a specially created organizational unit 'the City Forests of Warsaw'. The term of 'city enclave' would cover all the forms of enclaves analyzed in the work and located in the Capital City of Warsaw urban areas, i.e. areas of 'active' city farms or agricultural enterprises in strict legal sense (like Agricultural Law and Civil Law), where traditional farm activities are carried out as well as state-owned urban areas constituting State Treasury Agricultural Property managed by the National Center of Support for Agriculture, Warsaw Branch (in Polish KOWR Oddział Warszawa).

An important part of the work is the analysis of the legal conflicts between regulations as well as between public-law interest and private-law interest in relation to 'city enclaves' and other land which have characteristics of enclaves and located within the Capital City of Warsaw. The work also presents the methods of resolving the legal conflicts which have accumulated in the course of the city enclave management processes.