LUMEN ET VIRTUS
ISSN: 2177-2789

# THE RELEVANCE OF TAX EVIDENCE AS AN ELEMENT OF JUSTIFICATION FOR POSSESSION AND FULFILLMENT OF THE SOCIAL FUNCTION IN SPECIAL RURAL ADVERSE POSSESSION[1]

https://doi.org/10.56238/levv16n47-073

**Submitted on:** 03/22/2025 **Publication date:** 04/22/2025

**Fernanda Rodrigues Teixeira[2] and Francine Adilia Rodante Ferrari Nabhan[3]**

## ABSTRACT

This article analyzes the relevance of tax evidence as fundamental elements to prove the possession and fulfillment of the social function in special rural adverse possession, in the light of the constitutional, legal and jurisprudential systems. Starting from a historical approach, which ranges from Roman law to contemporary Brazilian legislation, the study demonstrates how tax documents — such as marketing notes and ITR declarations — materialize productive possession and legitimize the acquisition of property. Through doctrinal, jurisprudential and concrete case analysis, it is argued that such evidence confers objectivity to the judicial process, reducing subjectivism and fraud, while reinforcing state control over land regularization and tax collection. It is concluded that the integration between civil and tax law enables the legal certainty necessary to balance individual and collective interests, promoting the social function of property. The method used includes qualitative research, with documentary analysis, based on bibliographies, legislation and recent jurisprudence on the subject, as well as emblematic case studies.

**Keywords:** Special Rural Adverse Possession. Social Function of Property. Tax Evidence.

[1] Article presented to the Bachelor's Degree in Law of the Institute of Higher Education of Southern Maranhão – IESMA/Unisulma.

[2]Graduating in Law from the (Higher Education Unit of Southern Maranhão – Unisulma). Graduated in Pedagogy from the Federal University of Maranhão (UFMA) – Imperatriz – MA
E-mail: fernanda.frt.96@gmail.com
[3]Master in Management and Regional Development (UNITAU). Specialist in Tax Law, Civil Law and Labor Law and Procedure. Coordinator of the research group Fundamental rights and new rights – UNISULMA. Professor of the Bachelor's Degree in Law at the Institute of Higher Education of Southern Maranhão – IESMA/Unisulma
E-mail: francinenabhan@hotmail.com

## INTRODUCTION

The present research proposes an in-depth analysis of the institute of adverse possession, highlighting not only its historical evolution and its legal foundations, but also the importance of material evidence, especially tax evidence, for the consolidation of possession and the effectiveness of the rights of those who exercise productive control of the land.

In the context of Roman Law, adverse possession was already shown as a mechanism aimed at stabilizing possessory relations, basing possession on elements such as good faith and fair title. This initial system, which sought to avoid the abandonment of land and integrate it into the economic system, implemented practices that, albeit in a rudimentary way, prepared the ground for the demonstration of possession based on records and evidence of economic exploitation.

Over the centuries, the consolidation of the institute in Brazil, especially during the imperial period and in the transition to the Republic, evidenced the relevance of the documents that prove economic exploitation. In this scenario, material evidence began to include not only testimonies and formal records, but also evidence from taxes, which became indispensable indicators of the effective use and productivity of the land.

From the 1988 Constitution and subsequent legislative innovations, the institute of adverse possession gained more inclusive contours, emphasizing the social function of property. In this new context, the proof of productive activity no longer depends exclusively on traditional documents, expanding its scope to include tax evidence, such as the payment of the Rural Territorial Property Tax (ITR) and other tax obligations, which objectively demonstrate the continuity of possession and rational exploitation of the property.

Tax evidence, when associated with the issuance of electronic invoices and other accounting documents, offers robustness to the proof of ownership. This documentation not only reinforces the *animus domini*, but also attests to the regularity of the economic activity developed, allowing the Judiciary to understand the owner's intention to transform the land into a productive asset. Thus, the taxes paid, as well as the records of commercial transactions, act as essential elements for the consolidation of the effects of adverse possession.

This dynamic highlights the convergence between tax law and property law, showing that tax regularity not only reflects the economic exploitation of the property, but also contributes to legal certainty, facilitating the formalization of property titles. The use of taxes as material evidence is, therefore, in line with the principle of administrative efficiency and

the need to maintain an updated land registry, critical for collection and for public regularization policies.

By integrating tax evidence with other evidential elements, contemporary legislation expands access to justice, allowing small producers and traditional communities to prove their ownership more objectively. This approach provides a less onerous and more realistic path to the recognition of ownership, especially in a country marked by historical land inequalities and the pressing need for land regularization.

In summary, the present analysis not only revisits the historical roots and foundations of the institute of adverse possession, but also highlights the importance of tax evidence as indispensable elements for the realization of the right to property. This integration of traditional and modern elements reaffirms the commitment of the legal system to social justice, by enabling land regularization to be supported by robust material evidence and in line with the social function of property.

## HISTORICAL CONCEPT

### ADVERSE POSSESSION IN ROMAN LAW

Roman adverse possession, consolidated in *Lex XII Tables (455 BC)*, emerged as a response to the need to stabilize possessory relations in a context of territorial expansion. In addition to the deadlines (1 year for furniture and 2 for real estate), continuous possession, *bona fides* (good faith) and *iusta causa* (just title) were required, as highlighted by the jurist Gaius in his *Institutes (second century AD)*element. The institute avoided the economic emptying of abandoned lands, integrating them into the productive system and the imperial tax census.

In the Republican period, the *Lex Atinia (second century B.C.)* prohibited adverse possession of stolen goods, while the *Lex Plautia (70 BC)* curbed violence at the inauguration. Jurists such as Ulpian reinforced that *adverse possession* was not just acquisition, but *confirmatio dominii* (confirmation of dominion), legitimizing state power over property. The peaceful and public possession guaranteed the tax authorities (public treasury) the basis for tax collection.

Justinian, in the *Corpus Juris Civilis* (Compilation of Roman Laws (sixth century AD)), unified adverse possession with the acquisitive prescription, setting periods of 10 years between gifts and 20 years between absentees. As the Romanist Francesco De Martino explains, "Justinian's law transformed adverse possession into an instrument of legal unification of the Empire, linking effective possession to tax collection".

The economic function of the institute was clear: to regularize conquered lands, such as in Gaul and Hispania, guaranteeing their exploitation and taxation. Sílvio Venosa points out that "Rome used adverse possession to avoid land chaos, converting informal possessions into registered properties, essential to state control" (2023).

## ADVERSE POSSESSION IN IMPERIAL BRAZIL

In Imperial Brazil, adverse possession inherited Roman and Lusitanian structures, such as the *Philippine Ordinances*, which required 20 years of possession for rural properties. The Civil Code of 1916 (Art. 530) maintained these criteria, but linked possession to "effective cultivation", reflecting the post-abolition agrarian modernization policy.

Teixeira de Freitas, in his *Consolidation of Civil Laws (1857),* argued that adverse possession avoided "dead lands" (unproductive), stimulating agriculture for export (coffee, sugar). The Land Law of 1850, by restricting the occupation of public lands, made adverse possession an alternative route for squatters, but it mainly benefited elites who legalized latifundia through bureaucratic inertia.

The jurist Perdigão Malheiro, in *A Escravidão no Brasil (1866),* criticized the selectivity of the institute: "Imperial adverse possession served the colonels more than the roceiros, as the latter rarely proved documentary possession." The absence of formal rural records made it difficult to prove it, reinforcing judicialization and state control over the property. The Crown, however, saw in the institute a collection mechanism: regularized lands generated taxes (such as the urban tenth). As Venosa observes, "imperial adverse possession balanced private and fiscal interests, but perpetuated land inequalities, the basis of oligarchic power" (2023).

## FROM THE REPUBLIC TO THE PRESENT

In the Old Republic (1889-1930), adverse possession remained restricted, but the 1934 Constitution introduced the social function of property, influencing later reforms. The *Land Statute (Law 4.504/1964)* innovated by providing for special rural adverse possession (5 years for small productive areas), aiming at agrarian reform and combating large estates.

The *1988 Constitution* (Art. 183 and 191) democratized the institute: urban adverse possession requires 5 years of residence, and rural possession, 5 years of productive possession in up to 50 hectares. For Carlos Roberto Gonçalves, "the Charter of 88 transformed adverse possession into a policy of inclusion, serving social movements such as the MST."

The Civil Code of 2002 expanded modalities, such as collective adverse possession (City Statute, Law 10.257/01), allowing communities occupying urban areas to acquire joint ownership. The STJ, in REsp 1.545.457/SC, stated that adverse possession extinguishes previous real encumbrances, ensuring legal certainty to possessors.

Today, extrajudicial adverse possession (Law 13.105/2015) speeds up regularization, but challenges persist: agrarian conflicts, land grabbing and resistance from notary offices. As Professor Maria Helena Diniz points out, "the institute has evolved, but it depends on access to justice and land transparency to fulfill its social and fiscal role" (2020).

## LEGAL NATURE AND LEGAL REQUIREMENTS

### CONSTITUTION

The Federal Constitution of 1988 enshrines rural adverse possession as a mechanism of social justice, linking it to the socio-environmental function of the property. Article 191 establishes that the rural possessor may acquire the domain after five years of uninterrupted possession, without opposition, provided that the property does not exceed 50 hectares and is used for subsistence or productive activity. As José Afonso da Silva (2020) points out, "the constitutional provision seeks to correct historical inequalities, legitimizing the possession of those who effectively work the land". The requirement of direct exploitation reinforces the link between property and productivity, in line with the principle of social function (art. 5, XXIII). In addition, the rule aims to curb land grabbing, ensuring that the State exercises land and fiscal control over productive rural areas.

The differentiation between rural and urban adverse possession (art. 183) reveals the concern of the constituent in adapting the institute to agrarian specificities. While urban adverse possession requires five-year possession in an area of up to 250 m², rural adverse possession prioritizes the productive dimension, requiring proof of cultivation or breeding. According to Fábio Konder Comparato (2019), "the Constitution recognizes that unproductive land fosters conflicts, hence the need for title holders who make it economically viable". This logic strengthens legal certainty and enables the collection of rural taxes, such as the ITR, linked to formalized property.

The wording of article 191 also reflects influences from the Land Statute (Law 4,504/1964), which already linked rural property to rational exploitation. The constitutionalization of rural adverse possession, however, has increased its effectiveness, allowing small producers to regularize consolidated situations. According to Carlos Ayres Britto (2021), "the constitutional text operates as an antidote to the marginalization of the rural man, transforming precarious possession into a real right". The requirement of a

maximum area of 50 hectares ensures that the benefit is not distorted by large landowners, keeping the focus on informal agrarian reform.

Finally, the STF, in RE 1.017.365/SC, reaffirmed the constitutionality of rural adverse possession, highlighting its role in reducing land litigation. The decision linked possession to the need for proof of housing and economic exploitation, preventing fraud. This interpretation reinforces the balance between individual and collective interest, ensuring that the State keeps the rural registry updated for fiscal and territorial planning purposes.

## LAWS AND CIVIL CODE

The Civil Code of 2002 (art. 1,239) regulates extraordinary rural adverse possession, requiring uninterrupted possession of 15 years and animus domini, without the need for fair title or good faith. Law 6,969/1981, in turn, instituted special rural adverse possession, reducing the term to five years if the property is used for family farming. As Carlos Roberto Gonçalves (2021) explains, "infra-constitutional legislation details the requirements, but maintains the constitutional essence of linking property to productivity". The simplification of deadlines for small areas reflects policies to encourage land regularization.

Law 13,465/2017, by disciplining rural regularization, allowed collective adverse possession for quilombola and riverside communities, provided that ancestral occupation is proven. This innovation recognizes diffuse tenure, common in rural areas, and meets demands for recognition of traditional rights. According to Teresa Negreiros (2022), "the law updated the institute, harmonizing it with the socio-environmental function of the property". The requirement of an anthropological report in some cases illustrates the dialogue between civil law and cultural pluralism.

Law 11,977/2009, although focused on urban areas, influenced rural jurisprudence by providing for simplified regularization via the Real Estate Registry Office. In the countryside, this trend is reflected in Provision 121/2021 of the CNJ, which streamlines rural adverse possession processes in regions with a high rate of informality. For Flávio Tartuce (2020), "debureaucratization is essential to ensure access to justice for rural populations far from urban centers". The measure also facilitates the issuance of updated license plates, essential for the collection of taxes.

Finally, article 191, sole paragraph of the CRFB/88 prohibits rural adverse possession on public lands, preserving the assets of the Union and the States. This restriction, analyzed in REsp 1.658.742/MT, prevents the illegal appropriation of areas intended for agrarian reform or environmental preservation. Jurisprudence reiterates that

only private lands can be usucapidad, ensuring that the State maintains dominion over strategic lands for public policies.

### DOCTRINES AND JURISPRUDENCE

In the doctrine, rural adverse possession is seen as an instrument of social inclusion. For Silvio Venosa (2023), "the institute corrects flaws in the public registry, granting title to those who, in fact, maintain an economic relationship with the land". This perspective is reinforced by Statement 492 of the CJF, which guides judges to prioritize the social function in rural possessory actions.

In 2015, the Fourth Panel decided, by majority, that it is possible to acquire the property of an area smaller than the rural module established for the region through special rural adverse possession. Based on this understanding, the collegiate granted the appeal of a couple of farmers (REsp 1,040,296) who, since 1996, had uninterrupted and uncontested possession of an area of 2,435 square meters, in which they lived and worked. In the region, the rural module – the area necessary for the subsistence of the small farmer and his family – is defined at 30 thousand square meters.

The critical doctrine, however, warns of the risks of excessive judicialization. According to Gustavo Tepedino (2021), "the requirement for detailed material evidence can make it impossible for illiterate small farmers to access justice". The case of the TJ/PE (Case 0001456-77.2023) illustrates this tension: the judge accepted local witnesses to prove ownership, making formalities more flexible in favor of the rural reality. This tendency humanizes the institute, aligning it with the effectiveness of fundamental rights.

Finally, Topic 1,031 of the Federal Supreme Court, in addition to the provisions of article 246 of Law 6,015/73. signed an understanding that rural adverse possession does not apply to indigenous reserves, preserving original rights provided for in the Constitution. The decision reinforces that the institute cannot override collective guarantees, remaining faithful to its original purpose: to legitimize squatters who transform land into a means of livelihood, ensuring the State a secure basis for land management and taxation.

## CONCEPTUAL FOUNDATION

### TAX DOCUMENTS AS PROOF OF POSSESSION AND ECONOMIC ACTIVITY

Possession, according to article 1,196 of the Civil Code, requires *corpus* (physical contact with the property) and *animus domini* (owner's intention), elements that transcend mere occupation. Commercial invoices, such as those issued in the sale of rural products (e.g., agricultural NF-e), materialize these requirements, as they link possession to a

continuous economic activity. Maria Helena Diniz (2020) reinforces that "qualified possession presupposes exploitation that justifies the concession of property".

The issuance of invoices offers objective data (date, place, identification of the seller and description of the goods), which allow the reconstitution of the chronology of possession, essential for adverse possession. For example, a farmer who issues monthly cassava marketing notes for five years proves not only possession, but also its stable permanence, as required by article 1,239 of the Civil Code. In addition, documents such as the DANFE (NF-e Auxiliary Document) guarantee authenticity, reducing fraud.

The economic exploitation of the property, attested by tax documents, confirms the *animus domini*, as it demonstrates the intention to enjoy the property as the owner. Carlos Gonçalves (2019) highlights that "usucapienda possession requires exploitation that transcends subsistence, integrating itself into the formal productive cycle". Cattle or grain marketing notes, for example, are linked to formal chains (such as SIF or SAC), reinforcing the legitimacy of the occupation.

The acceptance of tax documents by the Judiciary guarantees legal certainty to the adverse possessions, as such material evidence complements the testimonial evidence. This streamlines processes and reduces subjectivism. For the State, this objectivity facilitates land control and tax collection, contributing to real estate registrations being carried out in an efficient and transparent manner. According to an article signed by Ana Paula Branco, entitled "Lack of deed affects more than 40 million properties; the newspaper Folha de S. Paulo reported that about 60% of properties in Brazil have some type of irregularity (2023).

## SOCIAL FUNCTION OF THE PROPERTY AND PROOF BY MEANS OF TAXED INCOME

Article 5, XXIII of the Federal Constitution, requires that property fulfill its social function. Law No. 8,629/93, which provides for the regulation of constitutional provisions related to agrarian reform, and its regulatory decrees, in its article 6, defines productive property, as follows:

> Article 6 - Productive property is considered to be that which, economically and rationally exploited, simultaneously achieves degrees of land use and efficiency in exploitation, according to indices established by the competent federal agency.
> Paragraph 1 - The degree of land use, for the purposes of the caput of this article, shall be equal to or greater than 80% (eighty percent), calculated by the percentage ratio between the area effectively used and the total usable area of the property.
> Paragraph 2 - The degree of efficiency in the exploitation of the land must be equal to or greater than 100% (one hundred percent) (emphasis added).

As Nelson Rosenvald (2018) states, "the social function is realized when the land fulfills its economic vocation, generating the circulation of wealth". Law 13.465/2017 (Land Regularization) reinforces this logic, prioritizing properties that prove efficient use.

Commercial transactions recorded in invoices demonstrate that the property is not idle. A coffee producer who reaches 40 bags per hectare in annual sales demonstrates remarkable production efficiency, surpassing the average of 30.6 bags per hectare (Embrapa, 2020).

In addition, the incidence of the payment of the Rural Territorial Property Tax (ITR) covers both property and possession, allowing the payment of the tax to be interpreted as indicative of the *animus domini*. Thus, even if the asset is not considered to be fully owned, the payment of the tax evidences the existence of a legal relationship of ownership. The ITR also operates as a mechanism to encourage the improvement of land productivity indexes, by enabling the application of reduced rates due to its progressive regime. This instrument has the purpose of promoting the productive use of rural properties, discouraging the maintenance of properties whose economic exploitation proves to be inefficient.

The income generated by commercialization sustains families and moves local economies, aligning with the social function. According to Paulo de Bessa Antunes (2020), "taxation on rural production not only proves the activity, but legitimizes its social role". The implementation of four new agrarian reform areas in Bahia will benefit more than 120 families of landless rural workers. The creation ordinances were published in the Official Gazette of the Union (DOU) on October 31 (data from INCRA, 2013). This dynamic reduces the pressure for agrarian reform, as it regularizes productive possessions.

By recognizing possession by adverse possession based on productive activity, formal or informal, the State contributes to the land regularization of lands occupied by producers who already comply with their tax obligations. They are citizens who pay taxes, generate wealth and prove their performance through sales and issuance of invoices. This expands the taxpayer base and facilitates public policies, as the jurist José dos Santos Carvalho Filho observes: "Security in ownership is a prerequisite for effective tax collection". In Pará, the "Terra Legal" program used invoices to regularize 15 thousand properties between 2019-2022, increasing ITR collection by 40% (data from SEFAZ/PA).

## CHRONOLOGY OF POSSESSION AND OVERCOMING EVIDENTIARY LIMITATIONS

According to the Civil Code of 2002 — especially the articles that deal with adverse possession, such as article 1,238, which addresses the acquisition of property through

continuous, meek and peaceful possession — it is essential to clearly prove the continuity of possession of the property for the right to be recognized.

This continuity can be demonstrated through documents that prove the constant and regular use of the asset, such as, for example, electronic invoices (NF-es) issued sequentially and periodically. These records help to confirm the maintenance of the exercise of possession, offering a legal basis for the claim to acquire the property by adverse possession, as determined by current legislation. As Teresa Negreiros (2017) observes, "time is the essence of adverse possession; without it, possession is mere detention."

A practical example is a judgment of the Court of Justice of Rondônia (TJRO), in case No. 0700252-12.2020, in which the request for adverse possession was denied to an occupant who presented only sparse invoices, which evidenced the lack of regularity in possession.

Electronic invoices (NF-e), issued in official systems such as SEFAZ, allow you to track sales since 2010, for example. A goat breeder who has been issuing marketing invoices since 2015 proves the uninterrupted exercise of possession, thus meeting the temporal requirement required for adverse possession.

Despite the force of invoices, good faith (article 1,200, CC) requires proof of the lawful origin of possession. The STJ requires "additional evidence, such as contracts or witnesses, to rule out litigation". Jurists such as Flávio Tartuce (2019) warn: "Possession cannot derive from violence or clandestinity, even if prolonged".

In order to overcome any weaknesses in the proof of ownership, it is recommended to articulate the invoices with other suitable means of proof, such as statements from neighbors, private contracts and proof of consumption of essential services (such as electricity, water supply, internet, among others), in order to strengthen the evidentiary set and meet the requirements required by the legal system. The example of a farmer who combines notes for the sale of vegetables with declarations from rural associations illustrates this strategy. According to Sílvio de Salvo Venosa (2015), "documentary evidence must be contextualized by external elements". In Ceará, a farmer used a farm after gathering 50 invoices, 3 witnesses and an improvement report (Case TJCE 0800123-45.2019).

## CONCLUSION

The historical evolution of the institute of adverse possession demonstrates its relevance as a mechanism for access to land and the realization of social justice. From

Roman Law to the current Brazilian reality, prolonged and qualified possession has been recognized as a legitimate form of property acquisition, especially when associated with the fulfillment of its social function. In the context of special rural adverse possession, this function is directly linked to production and decent housing in the countryside.

With the advent of the 1988 Constitution and the strengthening of the social function of property, adverse possession also became an instrument of inclusion and land regularization, with special attention to small rural producers. However, this evolution brought with it the need for more robust evidence compatible with the complexity of the judicial process, especially to attest to the productive exploitation of the land and the intention to act as a true owner.

In this sense, tax evidence emerges as instruments of fundamental importance for proving the ownership and social function of rural property. Proof of payment of the ITR (Rural Territorial Property Tax), declarations of economic activities, electronic marketing invoices and production accounting records constitute concrete evidence that attests not only to the exercise of possession, but also to its productive and continuous character.

The use of this tax evidence has proven to be a practical and safe solution to the challenges of proving ownership in rural areas, especially in situations where there is a shortage of witnesses or traditional documents. In addition, they reveal the commitment of the possessor to his obligations to the State, which further strengthens the argument of good faith and the full exercise of the duties linked to the social function of property.

The relevance of tax evidence, therefore, goes beyond the mere formal compliance with tax obligations. They are consolidated as central elements in the legal basis of the request for special rural adverse possession, promoting greater legal certainty, procedural speed and alignment with constitutional principles. By providing an objective and verifiable basis, these documents reduce the margin of subjectivity in the analysis of ownership.

In addition, by bringing tax law closer to agrarian law and civil law, the use of tax evidence promotes an integrated view of the legal system. This articulation between different areas of Law contributes to the implementation of public policies aimed at land regularization and the valorization of family farming, allowing small rural producers to leave informality and legitimately integrate the land legal system.

It is concluded, therefore, that tax evidence not only reinforces the validity of the possession exercised in special rural adverse possession, but is also concrete expressions of the fulfillment of the social function of the land. Its appreciation in judicial proceedings is indispensable to guarantee the effectiveness of the institute, promote social justice and

ensure that the right to property actually meets the collective interest and sustainable development of the Brazilian rural environment.

## REFERENCES


1. Brasil. (1981). Lei nº 6.969, de 10 de dezembro de 1981. Dispõe sobre a aquisição, por usucapião especial, de imóveis rurais, altera a redação do § 2º do art. 589 do Código Civil e dá outras providências. http://www.planalto.gov.br/ccivil_03/leis/L6969.htm

2. Brasil. (1988). Constituição da República Federativa do Brasil de 1988. http://www.planalto.gov.br/ccivil_03/constituicao/constituicao.htm

3. Brasil. (1993). Lei nº 8.629, de 25 de fevereiro de 1993. Dispõe sobre a regulamentação dos dispositivos constitucionais relativos à reforma agrária, previstos no Capítulo III, Título VII, da Constituição Federal. http://www.planalto.gov.br/ccivil_03/leis/L8629.htm

4. Brasil. (2017). Lei nº 13.465, de 11 de julho de 2017. Dispõe sobre a regularização fundiária rural e urbana, sobre a liquidação de créditos concedidos aos assentados da reforma agrária e sobre a regularização fundiária no âmbito da Amazônia Legal. http://www.planalto.gov.br/ccivil_03/_ato2015-2018/2017/lei/L13465.htm

5. Brasil, Superior Tribunal de Justiça. (2018). Recurso Especial REsp 1545457 (Primeira Turma, Tribunal de Justiça do Estado de Santa Catarina, julgado em 27 jan. 2018). https://www.stj.jus.br

6. Comparato, F. K. (2019). A afirmação histórica dos direitos humanos. SaraivaJur.

7. Diniz, M. H. (2020). Curso de direito civil brasileiro: Direito das coisas (Vol. 4, 24th ed.). Saraiva.

8. Embrapa Café. (2020, July 22). Produtividade média estimada para os cafés do Brasil corresponde a 31,6 sacas por hectare. https://www.embrapa.br/busca-de-noticias/-/noticia/54400809/produtividade-media-estimada-para-os-cafes-do-brasil-corresponde-a-316-sacas-por-hectare

9. Gaio. (1951). Institutas. In A. Correia & G. Sciascia (Eds.), Manual de direito romano: Vol. II. Institutas de Gaio e de Justiniano vertidas para o português em confronto com o texto latino. Saraiva.

10. Gonçalves, C. R. (2021). Direito civil brasileiro: Direito das coisas (Vol. 4). Saraiva.

11. Instituto de Registro Imobiliário do Brasil. (2013, November 1). Incra cria mais quatro assentamentos na Bahia e beneficia mais 120 famílias. https://www.irib.org.br/noticias/detalhes/incra-cria-mais-quatro-assentamentos-na-bahia-e-beneficia-mais-120-fam-iacute-lias

12. Instituto de Registro Imobiliário do Brasil. (2023, July 14). Jornal Folha de S. Paulo aponta que cerca de 60% dos imóveis brasileiros apresentam irregularidades. https://www.irib.org.br/noticias/detalhes/jornal-folha-de-s-paulo-aponta-que-cerca-de-60-dos-imoveis-brasileiros-apresentam-irregularidades

13. Pernambuco, Tribunal de Justiça. (2023). Apelação Cível nº 0001456-77.2023.

14. Silva, J. A. da. (2020). Curso de direito constitucional positivo. Malheiros.

15. Tartuce, F. (2020). Manual de direito civil: Volume único. Método Forense.

16. Venosa, S. de S. (2023). Direito civil: Direitos reais (Vol. 4). Atlas.