CARAHÁ PROPERTY · GRAMADO · RIO GRANDE DO SUL

Zoning classification of four contiguous land titles divided by the urban perimeter of Gramado

Titles 30,219, 30,220, 30,221 and 33,231 · Real Estate Registry of the Judicial District of Gramado
Document prepared for due diligence · Burano Participações Ltda · September 2026

STRUCTURED ABSTRACT

Context Gramado has some of the highest land values per square metre in inland Brazil and maintains restrictive planning legislation. The municipal stock of land where industrial use is permitted is a remnant of an earlier economic cycle and is not being expanded. This document analyses the zoning classification of a set of four contiguous titles in the locality of Carahá.

Method The full certified extracts of the four titles, Municipal Declarations 100 to 103 of 2026, Annex XI of Complementary Law 17/2022 and the cartographic base of the municipal geoportal were examined. The parameters of each zone were checked against federal land subdivision legislation and the INCRA rural register.

Results The four titles total 17.6649 ha and are classified simultaneously in zones 7.1 (Industrial) and 9.4 (Rural), because the urban perimeter divides the property. An estimated 6 ha lie in the urban industrial zone and 12 ha in the rural zone. The floor area ratio differs by a factor of 25 between the zones (1.0 versus 0.04) and the minimum plot size by a factor of 6 (5,000 m² versus 30,000 m²). AIAP and APP apply; pre-emption, risk area, non-buildable area, social interest and cultural preservation do not.

Conclusions The building potential is concentrated in the urban portion. The rural portion has residual legal density and serves as surroundings, and it is the only portion in which transient lodging is permitted. Subdivision along the urban perimeter line is the intervention with the greatest effect on development potential and on the regime governing acquisition by foreign capital.

1 Identification of the property

The property is located in the locality known as Carahá, municipality of Gramado, Rio Grande do Sul. Titles 30,219, 30,220 and 30,221 originate from a public deed of division and termination of co-ownership executed on 11 April 2014, with prior registration under title 30,057. Title 33,231 originates

from a 2017 application for area rectification and subdivision, with prior registration under title 33,229.

Table 1 · Composition of the property

TITLE	ORIGIN	AREA (HA)	FMP (HA)
30,219	2014 division · title 30,057	4.2683	3.00
30,221	2014 division · title 30,057	4.2683	3.00
30,220	2014 division · title 30,057	4.2683	3.00
33,231	2017 rectification and subdivision · title 33,229	4.8600	2.00
Total		17.6649	

FMP: minimum subdivision fraction (fração mínima de parcelamento) recorded in the rural register for each title.

2 Division by the urban perimeter

The Municipal Declarations certify that the properties are located in an "URBAN AND RURAL Zone". The cartographic base of the municipal geoportal confirms that the urban perimeter line crosses the property, which explains the dual classification. Each portion is subject to the regime of the zone in which it lies.

The estimated split is approximately 6 ha in the urban zone and 12 ha in the rural zone. Precise measurement depends on a georeferenced survey overlaid with the official perimeter line, which is under way. The figures in this document should be treated as estimates until that survey is completed.

3 Parameters of each zone

Table 2 · Required planning regime

PARAMETER	7.1 — INDUSTRIAL	9.4 — RURAL
Minimum plot size	5,000 m²	30,000 m²
Site coverage ratio	50%	2% to 3%
Floor area ratio	1.0	0.02 to 0.04
Number of storeys	3	2
Front setback	10 m	20 m
Side setbacks	10 m	10 m
Rear setback	10 m	25 m
Hotel coefficient	not provided for	5,000 (max. 35 UH)

Source: Annex XI of LC 17/2022. UH: lodging units (unidades habitacionais).

3.1 · Permitted uses

In zone 7.1 the permitted uses are retail and wholesale trade, industry I and II, large warehouses, freight transport companies, workshops, offices, medical services, educational establishments, cultural and recreational facilities, restaurants, garages, fuel stations and service provision. Residential use is permitted subject to an **express prohibition on land subdivision for the purpose of residential development.**

In zone 9.4 the permitted uses are residential buildings, offices up to 100 m², transient lodging, restaurants up to 250 m², industry I up to 500 m², service provision up to 100 m² and predominantly rural activities. The hotel coefficient is 5,000, limited to 35 lodging units.

4 Subdivision regime

The portion within the urban perimeter is subject to Law 6,766/1979, with a minimum plot size of 5,000 m² and a minimum frontage of 100 m set by Annex XI. The rural portion is subject to the minimum subdivision fraction of the rural register, between 2.00 and 3.00 ha depending on the title.

As a result of this difference, the same area admits four to six times more units under the urban regime. For the estimated 6 ha in zone 7.1, gross capacity is up to twelve plots of 5,000 m². The effective number will depend on the road layout of the subdivision, the preservation strips and the application of the minimum frontage to an irregular geometry; the preliminary estimate is between eight and ten.

5 Environmental constraints

Table 3 · Special and intervention areas

SPECIAL AREA	APPLIES	REFERENCE IN THE PDDI
Cultural Preservation Areas — APC	No	Annex V · arts. 90 to 93
Pre-emption Right Areas — ADP	No	Annex VI · arts. 122 and 123
Areas of Environmental and Landscape Interest	**Yes**	Annex VII · arts. 124 to 129
Non-Buildable Areas — ANE	No	Annex VII · arts. 138 to 141
Areas of Social Interest — AIS	No	Annex VIII · arts. 94 to 103
Permanent Preservation Areas — APP	**Yes**	Annex IX · arts. 158 to 162
Risk and Mass Movement Areas	No	Annex X · arts. 114 to 119

Source: Municipal Declarations 100 to 103/2026, field "Special and intervention areas".

The applicable APP does not cover the entire area. It corresponds to the statutory protection strips around the springs on the property, which are few in number, under arts. 158 to 162 of the PDDI and the Forest Code. It is a design constraint and does not prevent development of the property.

The **absence of any pre-emption right** over the four properties is noted. The municipality holds no right of first refusal on acquisition, which preserves freedom of negotiation between the parties and removes the step of prior notification.

The Rural Environmental Registry (CAR) is annotated on titles 30,220 and 33,231, under entries AV.6-30.220 and AV.1-33.231, both from 2026.

6 Access and easements

Title 30,219 fronts the Carahá municipal road, a paved road, over a length of 201.70 m and provides the property's access to the public road. Entry R.1-30.219 establishes a right-of-way easement in which title 30,219 is the servient estate and titles 30,220 and 30,221 are the dominant estates, over a strip 6.00 m wide covering 450.00 m². An easement between titles 30,220 and 30,221, covering 745.00 m², is also registered.



Figure 1 · Frontage of title 30,219 on the Carahá municipal road. Paved road with power lines. Photograph taken in September 2026.

Because they are registered, the easements constitute rights in rem enforceable against third parties and do not require renegotiation in the event of a partial sale. Title 33,231 is contiguous to 30,219 and reaches the road through it, under the same owner; if the two titles are sold separately, a right-of-way easement will need to be established in its favour.

7 Acquisition by foreign capital

Law 5,709/1971 and Decree 74,965/1974 impose conditions on the acquisition of rural property by foreign individuals resident in Brazil and by foreign legal entities authorised to operate in Brazil. In April 2026, the Federal Supreme Court (Supremo Tribunal Federal) reaffirmed the constitutionality of treating Brazilian companies under foreign control as foreign companies for this purpose.

Two circumstances of the property are relevant. First, the classification of part of the property as urban — decisive for the application of that statute, whose scope extends to rural property. Second, ownership by a Brazilian legal entity, which permits minority foreign participation without any change in national control.

8 Conclusions

The dual classification of the property does not stem from regulatory uncertainty but from the geographic position of the property in relation to the urban perimeter. In terms of development potential, this produces an asset with an asymmetric structure: a core of high permissible density

and surroundings of residual density under the same ownership.

Subdivision along the perimeter line is the intervention with the greatest effect. It would create separate titles for the urban portion, subjecting it entirely to the regime of Law 6,766 and removing the question regarding Law 5,709/1971.

The georeferenced survey under way will convert the estimates of area per zone presented in this document into a certified measurement.

References

1. Gramado (RS). Complementary Law No. 17 of 2022. Establishes the Integrated Development Master Plan — PDDI of the Municipality of Gramado.
2. Gramado (RS). Secretaria Municipal de Planejamento, Urbanismo e Parcerias Estratégicas. Municipal Declarations No. 100, 101, 102 and 103 of 8 September 2026.
3. Gramado (RS). Complementary Law No. 10 of 19 December 2025. Provides for the architectural style of the Municipality.
4. Gramado (RS). Complementary Law No. 1 of 2018. Code of Municipal Regulations (Código de Posturas), consolidated on 20 December 2019.
5. Brazil. Law No. 6,766 of 19 December 1979. Provides for urban land subdivision.
6. Brazil. Law No. 5,709 of 7 October 1971. Regulates the acquisition of rural property by foreigners resident in Brazil or by foreign legal entities authorised to operate in Brazil.
7. Brazil. Law No. 12,651 of 25 May 2012. Forest Code.
8. Brazil. Law No. 5,868 of 12 December 1972. Establishes the National Rural Register System.

This document is informative in nature and does not constitute a legal opinion, a valuation report or an engineering design. The estimates of area per zone are preliminary and depend on a georeferenced survey. Review by duly qualified professionals in the respective fields is recommended.