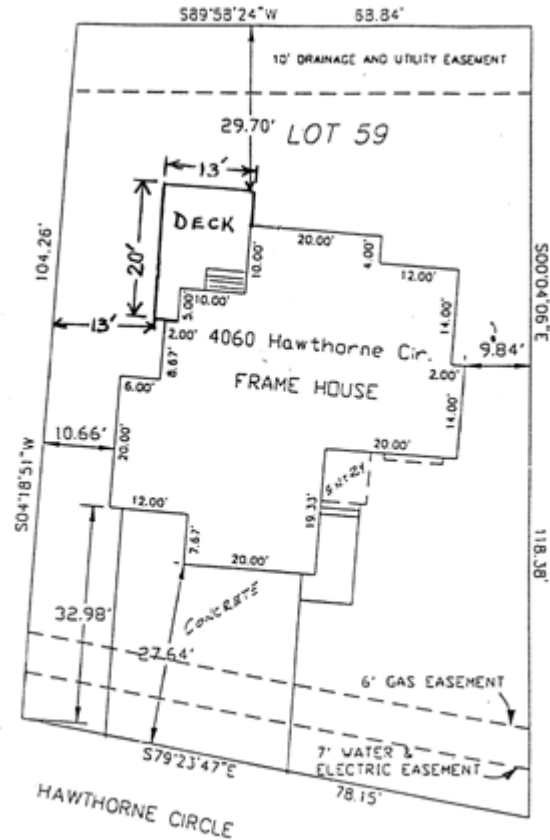


Where Are My Property Lines?

You know the dimensions of your property on paper, But... How can you be certain just where your property lines are on the ground?

City, Township and County records usually have property descriptions that reflect the dimensions of your lot, but this does not show precisely where the lot lines (property lines) are. Villages don't maintain property description files because the Township is responsible for the assessing. These descriptions may say your lot is 132 feet by 66 feet but don't identify where the corners of the lot actually are on the ground.

Mortgage Deed drawings are an indication of lot size and not an indication of where lot lines are. Property land titles will give the legal description. In most cases, corner stakes were placed on each corner of a property. You may look for these. But, since they were most likely placed when the area was platted or built, it may have been a long time ago and the stakes may no longer be found.



A surveyor can locate lot lines. Surveyors read the legal descriptions, locate known section lines and other known survey points to find where the corners of your property are. Once they have done this, they'll put stakes in the ground at the corners of your property.

There are several registered land surveyors who can be found in the yellow pages under "surveyors-land".

Unfortunately, people often want to know where their property lines are because of a conflict with a neighbor. Perhaps they want to put up a fence, or some of the neighbor's belongings are encroaching on their lot. These types of issues are civil matters—that is, they are disputes between two parties which are typically settled by the people themselves or in civil court.

Note: With regard to fences, many ordinances allow a fence to be built on the property lines. Further, many ordinances do not require which side of the fence is to face a neighbor's yard. However, the Village advises that fences be built at least 1 foot off the property line so people may maintain their fence and clean along their fence. Again, the Village does not determine where property lines are. That is a responsibility of the property owner.

A note on long-term encroachments: (such as a fence that has been there for a long time). In some cases, after 15 years under Michigan case law, the concept of "adverse possession" may come into play. For example, if a survey *does* show the neighbor's fence has been on your property, if it has been there for 15 years or more, you may not be able to do anything about it. There are also other legal concepts like "easement of necessity," "prescriptive easements" and "negotiated property lines" that may come into play. Consult an attorney for more information. The key word here is "may."

If you feel you cannot approach your neighbor to openly discuss and resolve the issues, you may need to seek legal advice. If you cannot afford an attorney, Van Buren County Legal Aid Bureau may be able to provide some information. For a second resource try Dispute Resolution Services of Gryphon Center. They can also provide mediation services between neighbors, and the service is often free. Their number in Kalamazoo, at the time of this printing, is 381-1510.