

Where Are My Property Lines?

How can you be certain just where your property lines are?

City records have property descriptions that may reflect the dimensions of your lot, but not precisely where the lot lines (property lines) are.

A surveyor can locate lot lines. 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 in court.

Note: With regard to fences, current ordinances allow a fence to be built on property lines. Further, City ordinances do not require which side of the fence is to face a neighbors yard. However, the city 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 City 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" comes 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 your attorney for more information.

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. Their number is 657-3137. Dispute Resolution Services of Gryphon Center can also provide mediation services between neighbors, and the service is often free. Their number in Kalamazoo is 381-1510.