

**GET OFF MY LAWN: BOUNDARY DISPUTES IN FLORIDA
TIMED AGENDA**

June 14, 2018 from 12:00 P.M. -- 1:00 P.M. EST

Presented by:

Logan McEwen, Attorney
McEwen DuBovis P.A.

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| I. | Introduction: General forms of boundary disputes | 5 Minutes |
| | a. Threshold Issues | |
| | b. Two Phases of Claim Review | |
| II. | Determining Boundaries According to Record Title and Accurate Survey | 10 Minutes |
| | a. Conflicting Surveys | |
| | i. Retracing vs. Original Survey | |
| | ii. Hierarchy of Boundary Lines | |
| | b. Battle of the Experts | |
| | c. Admissible Evidence | |
| | d. Apportionment Rule | |
| | e. Causes of Action | |
| III. | Enforcement of Erroneous Boundaries | 5 Minutes |
| | a. Burden of Proof | |
| | b. Adverse Possession With & Without Color of Title | 15 Minutes |
| | i. "Written Instrument" | |
| | ii. "Possession of Real Property" | |
| | iii. Possessor's Intent | |
| | iv. Substantial Enclosure | |
| | v. Cultivated or Improved | |
| | vi. Supply of Fuel, Fencing, Timber, Husbandry, and Ordinary Use | |
| | c. Boundary by Acquiescence & Agreement | 10 Minutes |
| | i. "Uncertainty of dispute as to the true boundary" | |
| | ii. "Subsequent occupation" | |
| | iii. "Period of time to show a settled recognition" | |
| IV. | In Practice | 10 Minutes |
| | a. Chain of Title | |
| | b. Fact Witnesses | |
| | c. Raising all Claims/Defenses | |
| | d. Description of Disputed Property | |
| V. | Question & Answer | 5 Minutes |