



Whose Line Is It Anyway? What You Need To Know About Property Lines

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Where does your neighbor's property end and yours begin? You've probably always relied on a visual cue, such as your driveway or fence. But are you sure those are the official property lines? You might be wrong, and believe it or not, that foot or so difference can be a big deal.

Why It's Important To Know Your Exact Property Lines

"First, depending on where you live, every square foot of real estate can be very valuable," notes David Reischer, real estate attorney and CEO of LegalAdvice.com. For example, in urban areas where land is scarce, a few extra square feet of land can make a huge financial difference.

But even in a less-costly suburb, defining property lines can be important for practical, legal and business reasons, notes **David Sacks, partner at the law firm Pathman Lewis in Miami**. "Practically and legally speaking, if you or your neighbor has a fence, tree, shed or anything that extends into the next property, that would be considered an encroachment," he explains. And that can create a potential legal cause of action against the offending party because you are violating the property line.

Not knowing exactly where your property lines are located can cause disputes with neighbors if they feel your tree is dropping leaves on their property or if they demand access to the water feature you built right near the fence. They also could claim you owe them money if a tree that is legally on your property falls and causes damage. That's why many title insurance companies will insist on a clear record of your property lines prior to issuing your policy.

So before you add a fence, a hedge or any other delineation or improvement to your grounds – and certainly before you install an outdoor camera – you want to make sure that any additions are completely on your own property. And you'll need a clear sense of your property lines to do so.

How To Find Your Legal Property Lines

Now that you know why it's important to know your property lines, you're probably wondering how to find out exactly where they lie. There are several sources you can check to definitively determine your property lines.

Your Deed

Ideally, when you bought your house, the title company ordered a survey report, and you have a recorded deed that shows the boundaries of the property. Sometimes the paperwork might include a “plat” of the subdivision that shows dividing lines.

But often you only have a document with a “word picture” of the property lines—as in, “Property extends to the elm tree on the right corner near the rock wall.” But note that these imprecise renderings or descriptions can cease to be accurate over time, as land can shift slightly, making geographical features an imprecise metric.

Public Databases

If you don’t have anything in your paperwork, check local databases, suggests **Sacks**. Cities and counties have zoning websites that provide property lines as a good first place to start, or you can check the local property appraiser’s website to determine the location of property lines, **Sacks** says. However, he cautions that as with the descriptors above, you should keep in mind that these methods should not be used for anything significant, such as a legal agreement where the property lines or legal description is required.

A Formal Survey

Since these imprecise estimates of property lines can’t be considered official, you might want to have a survey done to make sure you are using the most accurate property lines if you want to add a fence or pool. It’s most cost-effective to have an existing survey updated if the lender or title company has one, or if your home is newer, you could ask your neighbors, your builder or your HOA if they have a survey they can share.

A signed and sealed survey is the best way to determine your property lines, **Sacks** says, as surveyors and their work are regulated by state law.

A Lot Line Agreement

If you want something legally accurate but don’t want to hire a surveyor – and you and your neighbor are on friendly terms – you can also consider making a “Lot Line Agreement.” That’s when a property owner and their neighbor both agree where they want the property boundaries to reside, Reischer explains. “It is made official and

binding by recording modified deeds that describe in detail the agreed-upon property line with the county clerk.”

And once the property lines are set, you both can go about your business, secure in knowing exactly which dirt officially belongs to you. There’s a lot to consider when buying a house, but a savvy mortgage lender can help walk you through it all.