

## REAL ESTATE DISPUTES

### ***BOUNDARY AND LAND DISPUTES***

While it is true that good fences make good neighbors, accurate placement of fences maintains the relationship. Most people would be able to tell you where their land ends and their neighbor's begins based on what can be seen and by custom. Perhaps you and neighbor have a stone wall running down the border, or a creek, or perhaps the previously mentioned fence. You can probably describe the contours and boundary markers of your land based on your visual knowledge of your property. When you looked at the property prior to buying it, you likely assumed that these boundaries were accurate, and that you were buying what you saw. The question is whether your visual understanding of the boundaries of your land conforms to the actual description of the property found on your deed.

The reality is that sometimes boundaries are incorrectly marked or physically change over time. It could be that your neighbor's deed includes a portion of land that is granted to you in your deed as well; a previous survey incorrectly marked the courses of your land; that creek changed course and no longer runs in the same line it did 10 years ago; or maybe that boundary-line fence blew down in a windstorm and was put back up 3 feet to the right of where it was previously positioned. Like any mistaken boundary scenario, the new fence likely makes a not-so-good neighbor when the error is discovered.

Other times it is not land boundaries that change, but uses. A new neighbor may change a farm into a go-kart track, or a run a business out of his or her residence. These changes can have collateral effects on your enjoyment of your property, either by increased noise or increased traffic in your residential area respectively, as well as any number of other potential circumstances.

Conflict over changes in boundary lines or land use can be difficult to resolve as property is an expensive and very personal commodity closely guarded by its owners. Due to the gravity of a resolution to these problems, a court proceeding may be required. Ainsworth, Thelin & Raftice, P.A. can represent you in finding a solution to the dispute. Our experienced attorneys know the nuances of real estate law that are central to determining the legal resolution to your issue. If you think you may have a boundary issue or other land dispute, please call us today.

### ***CONSTRUCTION CONTRACTS***

When you own your home or business, you want the house or other building to truly be yours and in line with your vision. Naturally, you would like construction work on your property to be done to a high standard of quality and in a timely, cost effective manner. In the event that work already performed was not to the standard, cost or timeframe you expected, we can help you recover for any damage or loss you have suffered as a result of a breach of a construction contract.

### ***PROPERTY TAXES***

If you own property, whether it is a home, a camp on a lake, or a commercial property, you are likely required to pay an assessed property tax by the town or city in which the property is located. Sometimes a situation may arise where you are unable to pay an assessed property tax

due to hardship or poverty, in which case you may apply for tax abatement to relieve you of the financial burden. Similarly, mistakes can be made in calculating the assessed value of one's property, or perhaps your property qualifies for an approved abatement program.

At Ainsworth, Thelin & Raftice, P.A., we are available to help you maximize the value of your property by helping you determine your appropriate property tax liability. We are available to work with you to figure out if you are eligible and to apply for tax abatement, as well as to aid you in navigating the process of lowering your financial burden.

### ***TITLE ISSUES***

Title is a term that refers to a person's rights and interests in a parcel of property. The common analogy is to look at title as a bundle of sticks, and each right or interest as an individual stick. These rights and interests include the right to possession, the right to enter the land, the right to give the property to another and the right to use the land, among others.

Perhaps your neighbor has placed a fence that you believe is on your property; maybe a long lost relative of a previous owner has emerged with a claim to the property; or it may be the case that others have rights to use your land in some manner through an easement or custom, such as for utilities and maintenance or for access to a body of water. Other issues can arise from governmental action such as through laws or various ordinances regulating land use. Any of these issues and more can create problems with your title that can interfere with your enjoyment of your property. These can ultimately create a cloud on your title making you unable to sell your property.

We will examine your chain of title and the applicable conveyances in order to determine what and where you own, and what rights you or others may or may not have to a certain area.