

Bond Case Briefs

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ADVERSE POSSESSION - CALIFORNIA

Hagman v. Meher Mount Corporation

Court of Appeal, Second District, Division 6, California - April 3, 2013 - 215 Cal.App.4th 82 - 155 Cal.Rptr.3d 192

Neighbor sued nonprofit religious organization to quiet title to disputed property on the theory that he had acquired title by adversely possessing that property.

The court of appeal held that:

- Religious organization was not a “public entity” immune from adverse possession; and
- Religious organization’s welfare exemption from property taxes excused neighbor from the requirement to pay taxes on the disputed property.

Nonprofit religious organization’s neighbor was excused from the usual requirement that neighbor pay taxes on religious organization’s land for five years to accomplish adverse possession of the land. Even though the land was subject to a Mosquito Control and Vector Borne Disease Prevention Assessment which was paid by the religious organization, no taxes were “levied and assessed” on the property due to the religious organization’s welfare exemption from property taxes.