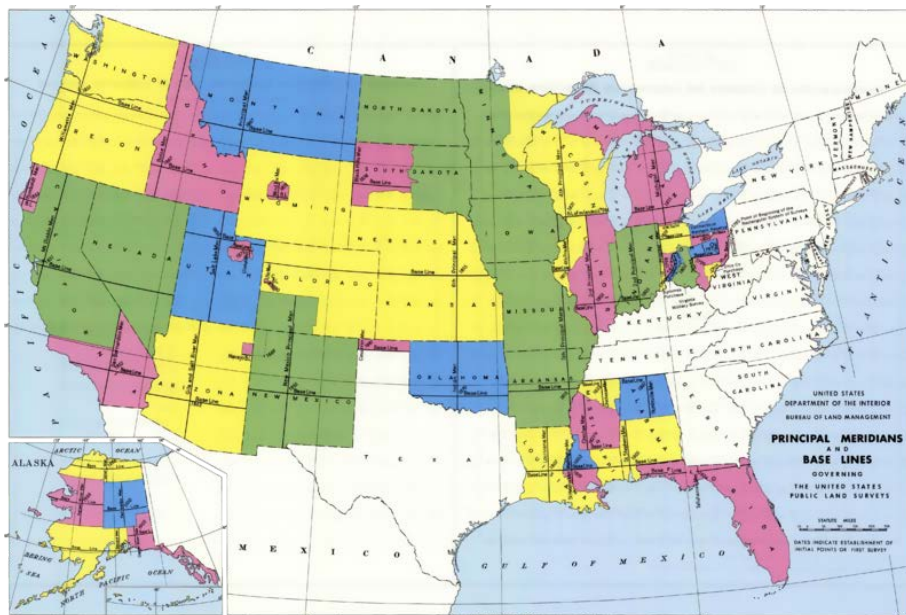
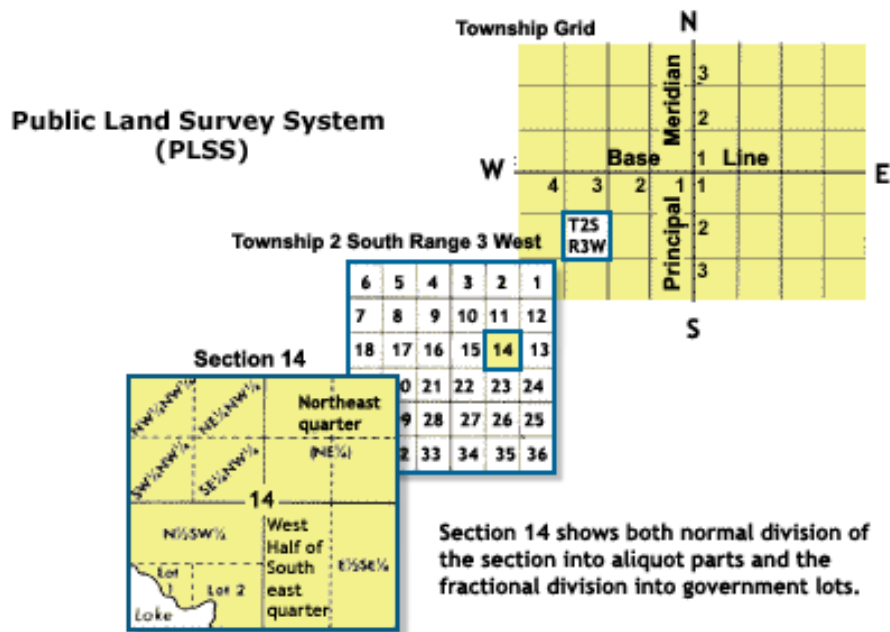


# Claims – You Shall Not Pass

## Rectangular Survey System/Public Land Survey System

The rectangular survey system is based on baselines and meridians. All of the country is based on the RSS except the original 13 colonies and Texas. Township and Range Lines run from the intersection of the baseline and meridian. Township lines run parallel to the baseline (east-west), while range lines run north-south; each are established at 6-mile intervals. Each Township/Range is then divided into 36 one mile by one mile Sections, which are further divided into quarters.





## Easements

- Access-The right of a property owner to freely go to and return from an adjoining highway without interference.
- Actual/Express Easement—An easement created in writing by a deed, plat or easement agreement. An express easement must describe the burdened parcel, benefitted parcel and the easement area. It must also state the purpose of the easement and be signed by all relevant parties.
- Deficient Easement—An easement that fails to meet the elements of an express easement.
- Implied Easement—An unrecorded easement where either the easement is necessary, such as for access to a landlocked parcel or

intent to establish an easement can be proven, both require a court order.

- Prescriptive Easement—An easement upon another’s real property acquired by continued use without permission of the owner for a legally defined period. The elements are the same as adverse possession, except for “exclusive”:

- Continuous
- Hostile
- Open
- Actual
- For the requisite period of Time

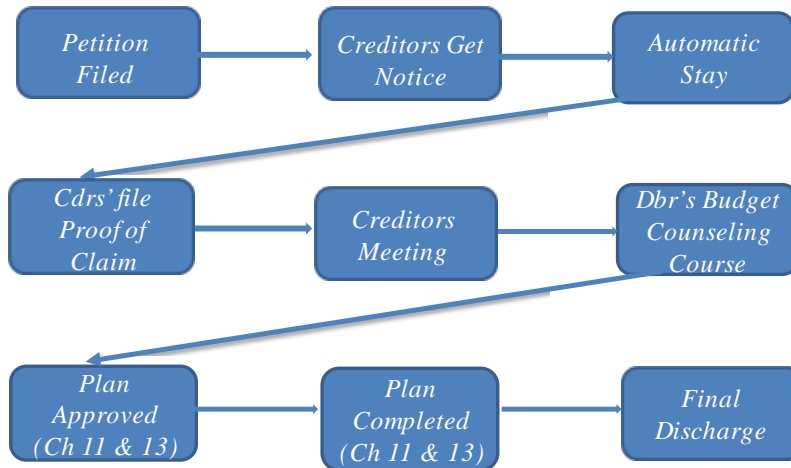
- Overburdening—Excessive use of an easement or use different from what was intended or expressed.

### Judgments

A judgment in a Superior Court automatically attaches to real property owned by the judgment debtor.

A judgement in state District Court attached to real property owned by the judgement debtor when it is transcribed to Superior Court.

## Bankruptcy



©2022 First American Financial Corporation and/or its affiliates. All rights reserved. NYSE: FAF  
This presentation may not be distributed without written permission from First American Insurance Company.



## Removing Judgment Liens

1. A discharge BEFORE the Debtor came into title to the property. Judgments filed after the debtor came into title are liens against the property which survive the discharge and are enforceable.
2. An Order Avoiding Lien.
3. An Order to Sell Free and Clear (with proper notice to all junior lienholders).

## The Automatic Stay

Automatic stay freezes all attempts to collect from creditors.

Stay can only be lifted with a court order.

- Usually sought by mortgage lenders.
- Must prove, among other things, that there is no equity in the property that would result in a distribution to creditors.