

Cal Code Civ Proc § 325

Deering's California Codes are current through Chapters 1-31, 33-44, 46, 47, 49-51, 54-57, 59-67, 69-91, 93-103, 105-108, 112-117, 119-124, 126-135, 137-141, 143- 149, and 151-157 of the 2018 Regular Session.

Deering's California Codes Annotated > CODE OF CIVIL PROCEDURE > Part 2 Of Civil Actions > Title 2 Of the Time of Commencing Civil Actions > Chapter 2 The Time of Commencing Actions for the Recovery of Real Property

§ 325. What constitutes adverse possession under claim of unwritten title

(a)For the purpose of constituting an adverse possession by a person claiming title, not founded upon a written instrument, judgment, or decree, land is deemed to have been possessed and occupied in the following cases only:

(1)Where it has been protected by a substantial enclosure.

(2)Where it has been usually cultivated or improved.

(b)In no case shall adverse possession be considered established under the provision of any section of this code, unless it shall be shown that the land has been occupied and claimed for the period of five years continuously, and the party or persons, their predecessors and grantors, have timely paid all state, county, or municipal taxes that have been levied and assessed upon the land for the period of five years during which the land has been occupied and claimed. Payment of those taxes by the party or persons, their predecessors and