

Adverse Possession Research Guide

Overview

This research guide contains information on adverse possession in Texas. According to *Black's Law Dictionary*, "adverse possession" is "the enjoyment of real property with a claim of right when that enjoyment is opposed to another person's claim and is continuous, exclusive, hostile, open, and notorious." The resources listed below are not exhaustive and may not include the most up-to-date information. It is for information purposes only and should not be construed as legal advice or act as the substitute for legal counsel.

Statutes & Codes

Texas Statutes Online www.statutes.capitol.texas.gov

Texas Civil Practice and Remedies Code (CPRC)

- Ch. 16, Subchapter B. Limitations of Real Property Actions §§ 16.021-16.034
<https://statutes.capitol.texas.gov/Docs/CP/htm/CP.16.htm#B>

Texas Property Code

- Ch. 22 Trespass to Try Title
<https://statutes.capitol.texas.gov/Docs/PR/htm/PR.22.htm>

Secondary Resources in Print

Owning Your Piece of Texas REF KFT 1310 L37

- Ch. 7, Section III. Adverse Possession

Texas Property Code Plus REF KFT 1310 .A29 O26

- Property Code – Ch. 22 Trespass to Try Title

Texas CPRC Plus REF KFT 1728 .A196 A2

- Ch. 16, Subchapter B. Limitations of Real Property Actions §§ 16.021-16.034

Beyer's Texas Property Code Annotated KFT 1312 .A29 T49

- CPRC Ch. 16 B §§ 16.021-16.034

Texas Jur 3D KFT 1265 .T48

- Vol. 2. Adverse Possession, pp. 493-839

Dorsaneo's Texas Litigation Guide REF KFT 1730 .T4

- Vol. 17, Ch. 250 Adverse Possession

Texas Real Estate Forms Manual REF KFT 1326 .T4

- Vol. 1 §2.6 Adverse Possession

Texas Transaction Guide REF KFT 1268.K45

- Vol. 18, Ch. 78 Curing Title Defects

Texas Practice Guide: Real Estate Transactions REF KFT 1326 .R4J6

- Vol. 3, Ch. 16 Adverse Possession

Texas Real Estate Forms KFT 1326.A65 O266

- Ch. 7 Title Affidavits

Oil & Gas Law KF 1849 .W542

- Vol. 1, Topic 4 Adverse Possession & Trespass

CLE Materials

Advanced Real Estate Law Course KFT 1312 .A75

- 2020 Ch. 9 Updates: TREC, Title Examination Standards, Texas Survey Standards, and Online Notarization – Appendices – Section XVIII. Adverse Possession, p. 16-20.
- 2018 Ch. 1 Case Law Update: Part X – Adverse Possession and Quiet Title Actions, p. 20-21.

**Advanced Real Estate Law Drafting Course KFT
1312 .A7527**

- 2018 Ch. 17 Affidavits Regarding Ownership of Real Property by Adverse Possession
- 2016 Ch. 17 Trespass to Try Title and Adverse Possession

**Oil, Gas & Mineral Title Examination Course KFT
1458 .L4 O44**

- 2020 Ch. 24 The Adverse Possession by Cotenant Heir Statute: How It Affects Title Examination

**Tarrant County Bar Association Lawyer Referral
Service: 817-336-4101 (\$20 for the first 30 minutes)**

Online Resources

Abandoned Property Research Guide
<https://guides.sll.texas.gov/abandoned-property>

Adverse Possession in the Oil Patch
<http://www.texasbarcle.com/Materials/Events/7438/20519.pdf>

Who Can Claim Property Based on Adverse Possession in Texas? (article 1996) <https://www.nolo.com/legal-encyclopedia/who-can-claim-property-based-adverse-possession-texas.html>

“Tarrant County Clerk Fights Fraud through New Law” *Fort Worth Report* (2021)
<https://fortworthreport.org/2021/06/17/tarrant-county-clerk-fights-fraud-through-new-law/>

Court Addresses Adverse Possession in Dispute Between Neighbors (Texas Agriculture Law Blog)
<https://agrilife.org/texasaglaw/2022/09/06/court-addresses-adverse-possession-in-dispute-between-neighbors/>

Legal Assistance

**Legal Lines – Ask Attorneys simple legal questions
(free service)**

- Tarrant County LegalLine Sign-up
<https://www.tarrantbar.org/>
- Dallas County LegalLine Sign-up
<https://www.dallasbar.org/index.cfm?pg=legalline>