Legal Opinion on Property Dispute

Client: Michael Johnson

Date: 04/20/2024

# Introduction

This legal opinion addresses the property dispute between Michael Johnson and his neighbor, Sarah Brown, regarding the boundary line between their properties located in Springfield, IL.

# Background

Michael Johnson and Sarah Brown own adjacent properties. A fence constructed by the previous owner of Johnson’s property encroaches onto Brown’s land by approximately two feet. Brown has requested the removal of the fence, while Johnson claims adverse possession.

# Legal Issues

1. Whether Michael Johnson has acquired title to the disputed strip of land through adverse possession.

2. Whether Sarah Brown has the right to demand the removal of the encroaching fence.

# Analysis

Under Illinois law, adverse possession requires possession that is actual, open, notorious, exclusive, and continuous for a period of 20 years. Johnson must demonstrate that his use of the disputed land met these criteria.

In this case, the fence has been in place for over 20 years, and Johnson’s use of the land has been open and notorious. However, further evidence is needed to establish exclusivity and continuity of possession.

# Conclusion

Based on the available information, it is likely that Michael Johnson has a valid claim of adverse possession over the disputed strip of land. However, a court will need to examine all relevant facts to make a final determination. In the interim, it is advisable to negotiate with Sarah Brown to reach an amicable resolution.

# Recommendations

1. Gather additional evidence of continuous and exclusive possession of the disputed land.

2. Consider negotiating a settlement with Sarah Brown to avoid litigation.

3. If negotiations fail, be prepared to defend the claim of adverse possession in court.

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Attorney Jane Doe, Springfield Legal Advisors