

IC 32-21-7

Chapter 7. Adverse Possession

IC 32-21-7-1

Establishing title; payment of taxes and special assessments by adverse possessor

Sec. 1. (a) Except as provided in subsection (b), in an action to establish title to real property, possession of the real property is not adverse to the owner in a manner as to establish title to the real property unless the adverse possessor pays all taxes and special assessments that the adverse possessor reasonably believes in good faith to be due on the real property during the period the adverse possessor claims to have adversely possessed the real property. However, this section does not relieve any adverse possessor from proving all the elements of title by adverse possession required by law.

(b) A governmental entity may claim title to real property by adverse possession without having paid all taxes and special assessments due on the real property during the period of adverse possession if the governmental entity was exempt from the payment of property taxes and special assessments during the period of adverse possession.

As added by P.L.2-2002, SEC.6. Amended by P.L.171-2006, SEC.7; P.L.94-2014, SEC.6.

IC 32-21-7-2

Property owned by state or political subdivision; adverse possession action against political subdivision barred after 6-30-1998

Sec. 2. (a) Title to real property owned by the state or a political subdivision (as defined in IC 36-1-2-13) may not be alienated by adverse possession.

(b) A cause of action based on adverse possession may not be commenced against a political subdivision (as defined in IC 36-1-2-13) after June 30, 1998.

As added by P.L.2-2002, SEC.6. Amended by P.L.16-2009, SEC.30.