



# RETURN OF REAL PROPERTY IN ATTEMPT TO ESTABLISH ADVERSE POSSESSION WITHOUT COLOR OF TITLE

Section 95.18, Florida Statutes

DR-452  
R. xx/xx 2/12  
Rule 12D-16.002  
F.A.C.  
Effective xx/xx 11/12

## **THIS RETURN DOES NOT CREATE ANY INTEREST ENFORCEABLE BY LAW IN THE DESCRIBED PROPERTY**

The person claiming adverse possession (claimant) must file this return with the property appraiser in the county where the property is located within one year after entering into possession. This return does **not** create any interest enforceable by law in the described property.

For residential structures, a person who occupies or attempts to occupy a residential structure solely by claim of adverse possession prior to making a return, commits trespass under s. 810.08, F.S. A person who occupies or attempts to occupy a residential structure solely by claim of adverse possession and offers the property for lease to another commits theft under s. 812.014, F.S.

### COMPLETED BY ADVERSE POSSESSION CLAIMANT

The person claiming adverse possession (claimant) must file this return with the property appraiser in the county where the property is located as required in [s. 95.18\(1\), F.S.](#)

|                     |                                                                                   |  |  |
|---------------------|-----------------------------------------------------------------------------------|--|--|
| Name of claimant(s) |                                                                                   |  |  |
| Mailing address     | Phone                                                                             |  |  |
|                     | Parcel ID, if available                                                           |  |  |
|                     | <input type="checkbox"/> the property claimed is only a portion of this parcel ID |  |  |

the property claimed is only a portion of this parcel ID

|                |  |                                                   |  |
|----------------|--|---------------------------------------------------|--|
| Date of filing |  | Date claimant entered into possession of property |  |
|----------------|--|---------------------------------------------------|--|

Legal description of property claimed Fields will expand online, or you may add pages.  
Must be full and complete. If the property appraiser cannot identify the property from the legal description, you may be required to obtain a survey.

|                                                 |                                                             |                                                                                |
|-------------------------------------------------|-------------------------------------------------------------|--------------------------------------------------------------------------------|
| This property has been: (Check all that apply.) | <input type="checkbox"/> protected by substantial enclosure | <input type="checkbox"/> cultivated, maintained, or improved in a usual manner |
|-------------------------------------------------|-------------------------------------------------------------|--------------------------------------------------------------------------------|

|                                                     |                                                                   |
|-----------------------------------------------------|-------------------------------------------------------------------|
| This property has been: (Check all that apply.)     | <input type="checkbox"/> protected by substantial enclosure       |
| Describe your use of the property, in detail below. | <input type="checkbox"/> cultivated or improved in a usual manner |
|                                                     | <input type="checkbox"/> occupied and maintained                  |

Describe your use of the property, in detail below.

Dates of payments of any outstanding taxes or liens levied by the state, county or municipality:

**UNDER PENALTY OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING RETURN AND THAT THE FACTS STATED IN IT ARE TRUE AND CORRECT. I FURTHER ACKNOWLEDGE THAT THE RETURN DOES NOT CREATE ANY INTEREST ENFORCEABLE BY LAW IN THE DESCRIBED PROPERTY.**

Under penalty of perjury, i declare that i have read the foregoing return and that the facts stated in it are true and correct.

|                          |  |  |
|--------------------------|--|--|
| Signature of claimant(s) |  |  |
|--------------------------|--|--|

State of Florida  
County of \_\_\_\_\_

This instrument was sworn to and subscribed before me on \_\_\_\_\_ by \_\_\_\_\_, personally known to me or who produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
Signature and seal, notary public

**COMPLETED BY PROPERTY APPRAISER**

Received in the office of the property appraiser of \_\_\_\_\_ County, Florida, on \_\_\_\_\_.  
A signed copy of this return has been delivered to the claimant(s). A copy will be sent to the owner of record.

\_\_\_\_\_  
Signature, property appraiser or deputy

\_\_\_\_\_  
Date

**TO THE OWNER OF RECORD**

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OF RECORD**

A tax payment made by the owner of record before April 1 the year after the taxes were assessed will have priority over a payment made by the claimant. An adverse possession claim will be removed if the owner of record or tax collector furnishes a receipt to the property appraiser showing payment of taxes by the owner of record, during the period of the claim. (S. 95.18, F.S.)

**This return is a public record and may be inspected by any person under s. 119.07 ~~419.07~~, F.S.**