

LEGAL SERVICES

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MEMORANDUM

March 7, 2003

SUBJECT: Adverse Possession and Quiet Title
(CSSB 93 (Work Order No. 23-LS0518\H))

TO: Senator Tom Wagoner

FROM: Kathryn L. Kurtz *KK*
Legislative Counsel

Enclosed is the bill draft you requested, using the language you provided.

I am not sure I understand the reason for the addition in section 2 of the bill. "Color of title" is already an essential element of adverse possession, included in AS 09.45.052(a). See Snook v. Bowers, 12 P.3d 771 (Alaska 2000). So, the new AS 09.45.052(c) strikes me as redundant. Am I missing something here?

KLK:mdr
03-027.mdr