

# Prescriptive Easements in California: What to Do When You or Your Neighbor Has Been Using Land for Years

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When land use between neighbors turns tense, knowing what to do about a **prescriptive easement in California** is essential. Start by checking whether the legal elements are even met, then piece together the history of how the property has been used. From there, you must look at how the dispute affects property value.

What would you do if years of casual access suddenly threatened your control of your own land? That moment of uncertainty is exactly when the rules governing long-term use and prescriptive rights matter most.

## Does a Prescriptive Easement Transfer With the Sale of Property in California?

A prescriptive easement created through long-term use ***stays with the property even when ownership changes***. So, buyers take on any neighbor land issues that formed over time. A [California real estate attorney](#) helps you evaluate these rights, understand their impact on future plans, and address any concerns during due diligence.

## Can a Prescriptive Easement Be Prevented?

You can prevent a prescriptive easement in a property access dispute in California by acting early and making your position clear. Written permission or a recorded notice under [Civil Code sections 813](#) and 1008 turns ongoing use into authorized use, which stops an adverse claim. You also gain stronger control over the outcome when you seek easement legal advice from a lawyer.

# Next Steps When Long-Standing Land Use Turns Into Conflict

Long-standing use can turn contentious once rights and boundaries come into question, especially when a **prescriptive easement in California** exists. To move forward with clarity, take the following steps:

## Assess Whether the Elements of a Prescriptive Easement Are Met

In a neighbor easement dispute, you begin by examining whether the long-term use meets California's legal standard for a [prescriptive easement](#). Courts look for four core elements, including:

- Open and visible use
- Continuous use for five years
- Use that conflicts with the owner's rights
- Use under a claim of right

A quiet title attorney in Los Angeles helps you test each element against the facts so you understand where the claim stands.

## Document the History of Land Use

Careful records of past use give you a clearer picture of how [California property rights](#) might have shifted over time in the area. To show when use began and how it changed over the years, gather:

- Photos
- Old surveys
- Emails
- Neighbor statements

A **clear timeline supports your position** and gives your lawyer a stronger base for dispute resolution.

## Evaluate the Impact on Property Value and Marketability

A prescriptive easement shapes how buyers view risk under property usage laws, and it **can lower the value** when it restricts access or future plans. A careful review supports

accurate pricing and stronger terms during a sale.

## **Your Path Forward With a Prescriptive Easement in California**

When long-standing use shifts into conflict, knowing how a **prescriptive easement in California** works brings much-needed clarity. The essential steps are to examine the legal elements, trace the history of use, and study how the issue affects value.

At Vokshori Law Group, ***our team draws on more than 150 years of combined experience to guard your rights.*** We place communication at the center of every case and tailor each plan to your needs. [Contact us](#) to resolve your easement dispute and protect your property's future.