

Quiet Title (Adverse Possession) Action Checklist

- 1. Plaintiff: _____

- 2. Defendant: _____

- 3. Legal Description of Property in Question: (might need surveyor's legal)

- 4. Who is the official taxpayer on the treasurer's records and for how long? See adverse possession under payment of taxes (RCW 7.28.070).

- 5. Is there color of title? If so, what? _____

- 6. Is a quiet title appropriate? _____

- 7. An owner who wishes to get rid of someone who is using some of their property would use an ejectment action rather than a quiet title action. The defendant would counter with an adverse claim.

- 8. Consider also four other related doctrines: Do any of them apply?
 - Parol Agreement _____
 - Acquiescence _____
 - Estoppel _____
 - Common Grantor _____
 - See Implied Easement in *McPhaden v. Scott*, No. 23289-8-II, (Slip Op., May 7, 1999)

- 9. Obtain copies of both parties statutory warranty deeds.

- 10. Order a litigation guarantee.

- 11. Draft Summons and Complaint to Quiet Title.

- 12. Draft and record a lis pendens. See statute for timing.