19. Prescription for Easements (and Profits)

Complete Land Law: Text, Cases, and Materials (6th edn)
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Titles in the Complete series combine extracts from a wide range of primary materials with clear explanatory text to provide readers with a complete introductory resource. This chapter discusses rules common to all three forms of prescription; user ‘as of right’ (without force, without secrecy and without permission), presumed acquiescence, user must be continuous, user must be by or on behalf of a fee simple against a fee simple, and user must be against a servient owner capable of granting an easement; prescription at common law; prescription by lost modern grant; prescription under the Prescription Act 1832; prescriptive easements and profits as legal interests; and extinguishment of easements.

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