Chapter:

4. Registered Title and the Acquisition of Legal Estates

(p. 93)

4. Registered Title and the Acquisition of Legal Estates

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This chapter examines both the acquisition question and the content question in relation to legal estates within the context of the Land Registration Act 2002. More specifically, it considers how legal estates in land are created and transferred. It also explores the principles that lie behind the registration of title as well as the content of a registered title. After describing the formal acquisition of legal estates, the chapter focuses on the content of a registered title. It then analyses the extent to which a registered title is indefeasible in the light of case law on the effect of fraudulent transactions. It also explains how legal estates can be acquired informally through adverse possession and concludes with a discussion of the human rights aspect of adverse possession.

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