

# 10 things to know about an allodial title

Discover the advantages of owning an allodial title. From protection against government seizure to increased property rights, learn 10 things to know about this unique form of land ownership.



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An allodial title is a type of land ownership that takes its name from the Latin “allodium.” Allodial refers to property held by an individual who did not inherit it or purchase it as part of a larger plot of land. In other words, an allodial title is like having your little plot of land—but without any other people on it. This type of ownership can be beneficial for those who have no family members who would have a claim to their property if they died or moved away; however, there are also downsides associated with this type of ownership.

## **An allodial title is a type of land ownership.**

Allodial title is a type of land ownership that was common in Europe during the Middle Ages. It's different from fee simple, which is the most common type of ownership today and includes both mineral rights and all other types of property right.

Allodial titles are often confused with feudal land grants because they share some similarities: both were granted by kings or noblemen to their subjects at no cost (or very little), but allodial grants did not require service obligations or taxes associated with other forms of feudal tenure. However, allodial owners could sell their property if they wished; they didn't have any automatic right to keep it unless they paid off all debts owed by previous owners who had sold it before them

## **An allodial title is not the same as fee simple.**

Allodial title is not the same as fee simple. These terms are often used interchangeably and refer to a property's legal ownership. Fee simple refers to when someone has complete control over a piece of land, while allodial describes something that isn't technically owned by anyone—like an empty lot or abandoned house—and instead belongs to nobody in particular.

In the US, fee simple is most common: it's typically how your home is held by banks and other lenders when you take out loans for renovations or purchase new furniture or appliances (the lender will hold the mortgage on your property). Allodial doesn't happen very often; only about 1% of homes across America have this type of title at any given time according to data from Zillow Research Center. But if you live in states where there aren't many allods (such as Montana), it may be worth considering

applying for one so long as you're willing to pay upfront before any repairs begin!

## **An allodial title does not include all mineral rights.**

An allodial title does not include all mineral rights. In contrast to a fee simple, which gives the landowner absolute ownership over the surface of the ground and subsurface minerals located thereon, an allodial title only provides for limited use of these resources by others who may possess certain rights related to those below-ground assets (e.g., mining claims).

The reasons why owners often choose this form of ownership are that it offers them greater flexibility in leasing their land; avoids unnecessary conflicts with neighboring landowners; protects them from lawsuits based on trespass or negligence; allows them to sell portions of their property without having to transfer title in whole blocks or parcels; helps ensure continued access for future generations through easements and reservations; preserves wildlife habitat by limiting development around rivers and streams while still allowing fishing/hunting activities within reasonable proximity (i.e., 10 feet); protects sensitive ecological areas such as wetlands or wetlands buffers from development activities like plowing crops into the soil so that they don't become poisoned by chemicals used during farming operations (this protection extends beyond just pesticides).

## **The American Revolution was fought over an allodial title.**

The American Revolution was fought over an allodial title. In the 1600s, England began to impose taxes on the colonies. This led to an outbreak of rebellion and eventually led to the creation of a new nation: America.

The colonists argued that they weren't subjects of the Crown but rather free men with full ownership rights over their land and property. They believed this because it was their right as Englishmen (or Americans) to own land in perpetuity—they had been granted it by God Himself!

# The allodial title can be passed to heirs of the deceased, but only if they qualify as heirs.

An allodial title can be passed to heirs of the deceased, but only if they qualify as heirs. The following requirements must be met:

- The deceased person must have been a blood relative of the heir(s).
- Heirs must be of the same generation as the deceased person. For example, if you're an adult and your uncle died when he was 60 years old, that wouldn't make you his heir; he would need to have been younger than 50 at his death for his will to pass on an allodial title in your name.
- Heirs must live at least two months after their relative's death before they can legally inherit anything from them (but this doesn't apply if there were no other living relatives left).
- They must also be capable of inheriting—that means mentally competent enough not only to understand what they are doing but also to understand its consequences (like paying taxes) or being able to manage their own affairs without needing help from others around them.\*

## Allodial title vs fealty

Allodial title is not the same as feudalism. Feudalism is a system of land ownership where landholdings are held by lords, who in turn owe allegiance to the king or emperor. In return for their services and loyalty, they were granted lands that they could use as they pleased. The term "feudal" comes from the Latin word for fighting—*fieri*—because these lords fought to maintain their power over others who also held land titles (such as allodial).

Allodial title means there is no relationship between you and your landlord; it doesn't mean you own anything directly at all! This can be confusing because most people think of it as "you own everything yourself." But the word "allodium" means "property owned by someone else." So what exactly do we mean by this?

## **Allodial title stems from feudalism.**

The notion of an allodial title stems from feudalism, a system of land ownership in Europe during the Middle Ages. The word "allodial" refers to its origins as an estate or property that belonged to the chief—the highest-ranking person in a community. Feudalism was also known as serfdom and it was based on the idea of serfs being bound to work for their lord; they could only leave if they paid off their debts.

Feudalism was replaced by modern economic systems like capitalism and communism but feudal ideas remained alive in some parts of Europe until well into the 18th century when some kings tried to restore it again!

## **What kind of land is allodial?**

Allodial title is a type of land ownership. It's not the same as fee simple, which means that you don't own the mineral rights to your property. That's because an allodial title does not include all mineral rights—only those granted by law or custom.

Allodial title, in other words, refers only to those lands that have been granted by either ancient custom or by state governments in America (though there have been examples where individuals have claimed allodial titles). The American Revolution was fought over whether this form of land ownership should be protected by the federal government or left up to individual states' laws—and ultimately resulted in giving us our current system today.

## **Fee simple or freehold?**

There are two types of real estate ownership: fee simple, which means that the owner has full control over the property, and freehold, which is an ownership interest in a property (or part of one) that is not fully owned by the owner. Both types can be passed to heirs when a person dies.

Fee simple does not mean "free" or "allodial." Fee simple is just another legal term for real estate ownership—it doesn't mean anything special about how your home was

acquired or what your rights are as an owner. It's important to note that fee simple does not mean allodial title: an allodial deed will grant you full control over your home but does not transfer any ownership rights from previous owners who may have owned it before you did. A fee simple deed transfers only those rights—not any other kind!

## **Freehold estates are not free.**

Freehold estates are not free.

You might think that because you own your home outright, there's no tax to pay on it. But this is only true if you're in the UK and have a valid allodial title (i.e., no mortgage). In other countries, where property taxes are levied by the state on behalf of local governments (known as "collective" ownership), such as France and Germany, freehold estates can be subject to property taxes just like any other type of real estate—and those taxes will likely be higher than what you'd pay if you owned things through an LLC or corporation instead!

## **Allodial titles are very rare in the United States, but when they do exist they make property owners particularly independent.**

Allodial title is a legal term that describes the right of ownership to real property. In other words, allodial titles are very rare in the United States, but when they do exist they make property owners particularly independent.

Allodial titles don't include mineral rights or any other type of interest from the government or another party. They also don't pass through heirs so that if something happens to one owner and his heirs get his land, then it will still be theirs and not theirs' anymore!

Allodial titles are extremely important because they allow people to live without having anyone else tell them what they can do with their own property (or what fees should be paid).

## 10 Advantages of Allodial Title Ownership

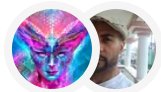
1. Protection from government seizure: An allodial title offers protection against government seizure of property without due compensation.
2. Increased property rights: Allodial titles give property owners greater rights to their land, such as the right to use, develop, and sell their property.
3. No property taxes: An allodial title frees property from taxes, as the property is not subject to government ownership or control.
4. Protection from creditors: An allodial title can provide protection from creditors who may seek to seize property to satisfy a debt.
5. Estate planning: An allodial title allows property owners to pass their property on to their heirs with minimal restrictions and fees.
6. Easier transfer of property: An allodial title makes it easier to transfer property ownership, as the property is free from government restrictions and regulations.
7. No zoning restrictions: Allodial titles free property from zoning restrictions and regulations, allowing property owners greater flexibility in how they use their land.
8. Protection from an eminent domain: An allodial title provides protection from eminent domain, as the government cannot seize property without due compensation.
9. Increased property value: Allodial titles can increase the value of a property, as the property is free from government restrictions and regulations.
10. Simplified land ownership: An allodial title simplifies the process of land ownership, as the property is free from government ownership or control.

## Conclusion

Allodial title is a very different kind of land ownership than fee simple or fee simple absolute. Allodial titles are very rare in the United States, but when they do exist they make property owners particularly independent. They also allow heirs to inherit property without having to qualify for probate court proceedings (which can be

lengthy and expensive). However, allodial titles are not perfect because they do not include mineral rights (which may be important for some landowners).

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**Ben B** Oct 10, 2023  Liked by Pedro

Hey Pedro! Do you have any advice on how to obtain an allodial title?

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