

CHAPTER 11
OBLIGATIONS OF OWNERS

- § 11101. Duties of Tenant for Life.
- § 11102. Monuments and Fences.
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§ 11101. Duties of Tenant for Life.

The owner of a life estate must keep the buildings and fences in repair from ordinary waste, and must pay the taxes and other annual charges, and a just proportion of extraordinary assessments benefiting the whole inheritance.

SOURCE: CC §840.

§ 11102. Monuments and Fences.

Coterminous owners are mutually bound equally to maintain:

- (a) The boundaries and monuments between them;
- (b) The fences between them, unless one of them chooses to let his land lie without fencing; in which case, if he afterwards encloses it, he must refund to the other a just proportion of the value, at that time, of any division fence made by the latter.

SOURCE: CC §841.

§ 11103. Ditches and Flumes, Mutual Liability.

When two or more persons are associated by agreement in the use of a ditch, flume, pipe line, or other conduit for the conveyance of water, or who are using such ditch, flume, pipe line, or other conduit, or any part thereof, for the irrigation of land or for any other lawful purpose, to the construction of which they or their grantors have contributed, he is liable to the others for the reasonable expenses of maintaining and repairing the same, and of distributing such water in proportion to the share to which he is entitled in the use of the water.

SOURCE: CC §842.

§ 11104. Neglect to Pay Proportion of Expense, Liable.

If any one of them neglects, after demand in writing, to pay his proportion of such expenses, he is liable therefor in an action for

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contribution, and in any judgment obtained against him interest from the time of such demand may be included. The action authorized by this section must be brought by any or all of the parties who have contributed more than his or their just proportion of such expenses, and may be joint or several, and therein plaintiff may recover costs, to be fixed by the court.

SOURCE: CC §843.
