

13-105. *Proceeding to obtain patent commenced by filing application for warrant; certain forms of warrant abolished; contents, signing and verification of application; effect of certain interests; death and substitution of applicant; attorney.*

(a) *Application required.*—A proceeding to obtain a patent shall be commenced by filing with the Commissioner an application for a warrant to survey vacant land, a warrant to resurvey any land then owned in fee simple absolute by the applicant, or a warrant to resurvey any land then owned in fee simple absolute by the applicant and to add thereto any contiguous vacant land. All other forms of warrants, including common warrants, special warrants, escheat warrants, and proclamation warrants are abolished.

(b) *Contents of application.*—The application shall contain:

(1) *The name and address of the applicant;*

(2) *The county and election district in which the property for which patent is sought is located;*

(3) *Separate descriptions of any vacant land and any land then owned by the applicant for which a patent is sought, and the estimated acreage contained within each such description. Such descriptions shall be made by specific reference to the names and addresses of the owners of all adjoining tracts or parcels of land as shown on the assessment records of the county in which such land is situated; and a metes-and-bounds description is not required in the application.*

(4) *In cases where either type of warrant to resurvey is requested, a certified copy of the instruments by which the applicant acquired fee-simple absolute title and, if such instruments do not contain a metes-and-bounds description of the land, a certified copy of the last instrument in the chain of title of such applicant which does contain such description.*

(5) *A statement that no person other than the applicant and those under whom he claims title has held and possessed the described land continuously during the period of twenty years next preceding the date of filing the application.*

(6) *The name and address of the surveyor to whom the warrant is to be directed.*

(7) *The name to be given to the tract to be surveyed and/or resurveyed if a patent is issued.*

(8) *Any other information required by the Commissioner from time to time by rule.*

(9) *A request for the issuance of one of the specific types of warrant referred to in subsection (a) and the issuance of a patent for the land described in the certificate returned upon such warrant.*

(c) *Signature and verification; effect of certain interests.*—An application shall be signed and verified by the affidavit of each person named as an applicant. An application for either form of warrant to resurvey shall be signed and verified by all persons entitled to a fee-simple absolute interest in the property to be resurveyed. For purposes of a proceeding to obtain a patent, the exist-