

FLORIDA LAND SUCCESSION GUIDE

Understanding Chain of Title in a Former Spanish Province

Florida's land history is unique. Before becoming part of the United States, Florida spent centuries under Spain and 20 years under Britain. Many properties **never received a U.S. land patent**. Instead, they trace back to **Spanish or British land grants** that were later **confirmed** by the United States.

This guide explains how to identify your land's root and how to trace succession when no U.S. patent exists.

1. Three Roots of Title in Florida

A. Spanish Grant → U.S. Confirmation → Private Ownership

Most early properties fall into this category.

Examples show phrases like:

- "Spanish Grant to ____, confirmed by U.S. Land Commission"
- "Private Claim No. ____"
- "Confirmed by Act of Congress, ____"

B. British Grant → Spanish Confirmation → U.S. Confirmation

Common in areas like Pensacola and St. Augustine.

C. Public Domain → U.S. Patent

More common in South and Central Florida during later development.

2. Why Many Florida Parcels Have *No* U.S. Patent

Under the **Adams–Onís Treaty of 1819**, the United States agreed to:

→ honor all Spanish land grants made before January 24, 1818.

Therefore, the U.S. often **did not issue federal patents** for land already granted by Spain.

Instead, Congress or land commissions issued **confirmations**, which act as the **legal equivalent of a patent**.

3. Finding the Root of Your Title

Check the earliest deeds for words like:

- “Grant to ___ by Spain”
- “Private Land Claim”
- “Confirmed by Act of Congress (year)”
- “Recorded in American State Papers”
- “Survey of Private Claim No. ____”
- “Internal Improvement Fund (IIF)”
- “Swamp & Overflowed Lands”

These keywords tell you the type of root.

4. Where to Find Official Records

A. American State Papers: Public Lands (ASP-PL)

Covers all Florida land claims confirmed by Congress
Search by claimant name, county, or “Private Claim No.”

B. County Clerk / Recorder

All modern deeds from confirmation → present.

C. Florida State Archives

Many original Spanish and territorial surveys.

5. How to Trace Succession Without a U.S. Patent

Your chain of title follows this path:

Spanish Grant → U.S. Confirmation → earliest deed → next deed → ... → present owner

For succession, treat the **U.S. Confirmation** as the “root title,” similar to a patent in other states.

6. When to Use This Guide

This guide helps when:

- No land patent appears in searches
- Legal descriptions use old Spanish metes-and-bounds
- You find “Private Claim No.” or Spanish claimant names
- Surveys predate the township-range grid

7. Purpose of Succession Documentation

A written succession:

- Clarifies ownership history
 - Preserves your proof of chain
 - Creates a legacy record for your family
 - Helps homesteaders understand their land's story
 - Strengthens private, generational stewardship
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Disclaimer & Reader Responsibility Notice

This guide is offered as an educational resource for individuals who are exploring the history and succession of land ownership. It reflects research, historical understanding, and personal study, but it is **not** legal advice, professional guidance, or a substitute for your own due diligence.

Land records vary widely by state, county, and historical period.

Every reader is responsible for:

- verifying information through official county, state, and archival records;
- reviewing original documents whenever possible;
- cross-checking facts with multiple reliable sources;
- consulting qualified professionals *if they choose* or examining publicly recorded examples for comparison;
- and making their own informed decisions based on their unique situation.

Nothing in this guide instructs anyone to take a particular legal action, nor does it guarantee any outcome. It is simply a tool for study, awareness, and deeper understanding of how land succession may be traced.

We encourage everyone to approach this material with curiosity, discernment, and personal responsibility.

SAMPLE SUCCESSION CERTIFICATE (NO U.S. PATENT)

SUCCESSION CERTIFICATE

(For Properties Without a U.S. Federal Land Patent)

Property Description:

[Insert full legal description exactly as written on the deed]

County and State:

[County], Florida

1. Root of Title (U.S. Confirmation of Spanish Grant)

This property originates from a **Spanish land grant** made to:

Original Grantee: _____

Date of Grant (if known): _____

Grant Reference:

(e.g., "Private Land Claim No. 37, Spanish Grant to ____, confirmed by U.S. Land Commission, recorded in American State Papers, Public Lands, Vol. __, p. __.")

U.S. Confirmation Authority:

- ☐ Act of Congress
- ☐ United States Land Commission
- ☐ Territorial Court Confirmation
- ☐ Florida Court Confirmation

Reference: _____

This confirmation functions as the **root title** for this land.

2. Chain of Title (Succession of Ownership)

| Date | Grantor | Grantee | Instrument | Book/Page |
|------|---------|---------|------------|-----------|
| | | | | |
| | | | | |
| | | | | |

(Continue as needed)

3. Present Holder

Name: _____

Address: _____

4. Certification of Succession

I hereby certify that I have traced this property's chain of title from its **U.S. confirmed Spanish root** through all subsequent conveyances to the present holder listed above.

This document preserves the history, continuity, and succession of this land as a record for future generations.

Date: _____

Signature: _____

Printed Name: _____

(PLACE NOTARY ACKNOWLEDGMENT OR JURAT HERE)

(Note to Document Preparer/Signer):

Florida law does not mandate a single, universal notary block form, but it does prescribe the required information and offers statutory short forms. The person whose signature is being notarized should select the appropriate type of notarial act (acknowledgment or jurat/oath).

For the required content and sample wording, please refer to the current version of the Florida Statutes, specifically:

•**Section 117.05(13), Florida Statutes** (for mandatory elements and general sufficient forms)

•**[Section 695.25, Florida Statutes](#)** (for statutory short forms of acknowledgment for individuals, corporations, etc.)

Official guidance and additional sufficient sample forms are also available on the [Florida Department of State Notary Public website](#).