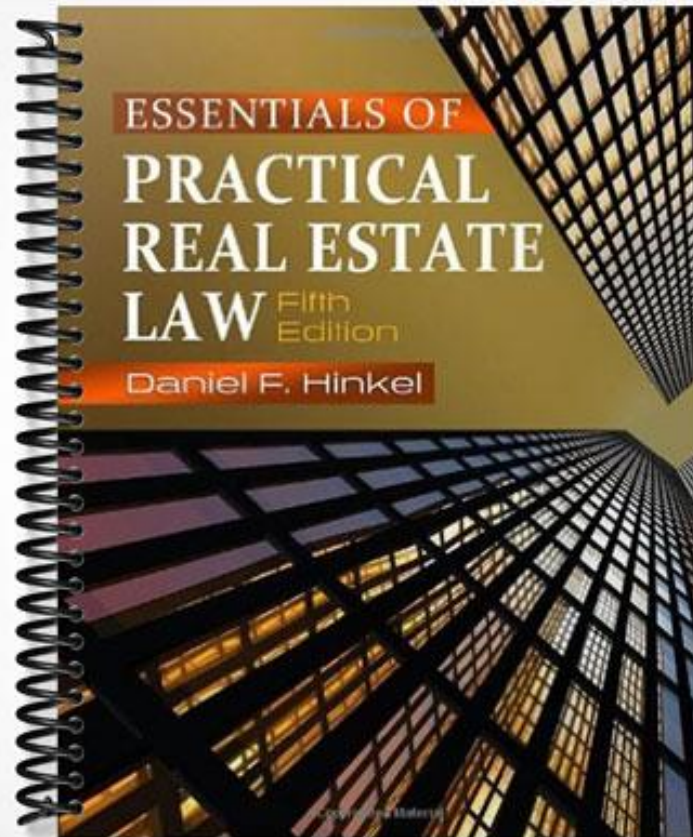


TEST BANK



Test Bank

CHAPTER 1

TRUE/FALSE

1. The law of real property, in general, is governed by the law of the state in which the owner of the real property resides.
2. An owner of real property generally does not own the air space above the surface of the land.
3. A fixture is classified as real property.
4. Occupancy of land by someone without the permission of the owner is a trespass.
5. Since the law does not favor the free right to transfer of ownership, the law will approve almost any restraint on an owner's right to transfer ownership of property.
6. A fee simple absolute estate has a potential infinite duration and unrestricted inheritability.
7. A fee simple on condition subsequent estate automatically expires on the happening or nonhappening of the event stated in the deed of conveyance or the will creating the estate.
8. A life estate must always be for the life of the owner.
9. If the owner of a life estate commits waste, the life estate will terminate, even though the owner is alive.
10. A life estate owner must share the income generated from the life estate with the owner of the remainder interest.
11. Life estates are not transferable during the lifetime of the owner.
12. An estate limited in its duration to a fixed period of time is known as a life estate.
13. At common law, an estate at will could be automatically terminated.
14. A promise to make a gift is generally revocable.
15. An estate at will is real property that passes by last will and testament.
16. Inheritance is the passage of ownership of real property from a person who dies without a will.
17. The more attached an item of personal property is to real property, the more likely the item is a fixture.
18. A person who receives property under a will is called an heir.
19. The tacking of possession of two adverse possessors is never permitted.
20. Adverse possession must always be with the consent of the owner.
21. Under the riparian rights doctrine, an owner of riparian land has the right to use water equally with other owners of riparian lands.
22. A property owner has the right to alter the natural flow of surface water.
23. Appropriation is found in states where water is abundant.

24. The law of appropriation is found in western states where water is scarce.
25. Under the law of appropriation, water is given to the property owner who uses the water first.
26. A copyright would be classified as tangible personal property.
27. A dog would be classified as tangible personal property.
- (c) 30 years
- (d) 7 to 20 years
- (e) none of the above
5. In addition to adverse possession being adverse, it must also be:
- (a) public
- (b) peaceful
- (c) exclusive
- (d) continuous
- (e) all of the above

MULTIPLE CHOICE

1. Which of the following is not considered real property?
- (a) buildings
- (b) fixtures
- (c) corn
- (d) elm tree
2. A court in determining that an item is a fixture will consider which of the following:
- (a) the extent of the attachment of the item to the building
- (b) the intention of the parties
- (c) the character of the article in its adaptation to the real property
- (d) all of the above
3. The adding together of periods of adverse possession is called:
- (a) lapping
- (b) tacking
- (c) accretion
- (d) appending
- (e) none of the above
4. The typical period that a person must possess real property in order to be an adverse possessor is:
- (a) one to three years
- (b) 25 years
- (c) 30 years
- (d) 7 to 20 years
- (e) none of the above
6. A deed which conveys property to an owner "so long as the land is used for an avocado farm" creates an estate known as:
- (a) fee simple on condition subsequent
- (b) estate for years
- (c) estate at will
- (d) fee simple determinable
7. Henry transfers property to Susan for the life of Tom, then to Kevin. On the death of Susan, the property owner is:
- (a) Tom
- (b) Kevin
- (c) Susan's heirs
- (d) Henry
- (e) none of the above
8. Henry transfers a life estate to Susan with the remainder to Tom. Tom dies before Susan. On Susan's death, the property owner is:
- (a) Aaron
- (b) Susan's heirs
- (c) Tom's heirs
- (d) Henry's heirs

9. Generally the following system of law governs the law of real property:
- federal law
 - law of the state of the owner's residence
 - law of the state in which the real property is located
 - none of the above
 - all of the above
10. Which of the following items would not be classified as personal property?
- automobile
 - wheat
 - fixture
 - stock certificate
11. Failure by an owner of a life estate to adequately maintain the property subject to the life estate is known as:
- descent
 - waste
 - devise
 - none of the above
12. Which of the following are considered acts of possession?
- enclosure
 - cultivation
 - occupancy
 - construction of improvements
 - all of the above
13. The conveyance of real property in a will is referred to as:
- inheritance
 - estate at will
 - devise
 - gift
14. Aaron conveys to Bill an estate of property for 20 years and upon the expiration of the 20 years then to Carol. Carol's estate in the property would be:
- estate for 20 years
 - estate at will
 - remainder in fee simple
 - successor estate for years
15. The main methods of acquiring ownership to real property are:
- inheritance
 - gift
 - sale
 - devise
 - all of the above
16. Which of the following would not be considered tangible personal property:
- Horse
 - Certificate of Deposit
 - Cell Phone
 - Chair

CHAPTER 2

TRUE/FALSE

- Joint tenants with right of survivorship can be created only by a deed.
- Each owner under a joint tenancy with right of survivorship owns an equal undivided interest in the property.
- The right of survivorship in a joint tenancy with right of survivorship provides that the owner's interest in the joint property can be willed or passed to the owner's heirs at death.
- The survivorship feature of a joint tenancy with right of survivorship can be terminated by the parties.