

Question Number 1.

In the Fall of 2010, for valuable consideration, Mr. Smith obtained from Mr. Jones what appeared to be title to an unimproved tract of land located on a hillside. He embarked on improving a portion of the land. After receiving a loan secured by a deed of trust from the Acme Bank, a single family dwelling was constructed on the property just before the rainy season of 2012. Mr. Smith's neighbor at the bottom of the hill now claims his property is flooding because of the Smith improvements. To make matters worse Mr. Jones never owned the property. The true holder of the FSA Mr. Jonas filed a trespass action on December 14, 2015.

What legal issues are presented? What are the possible legal outcomes?

Empire College School of Law
Professor Larry Ornell
Real Property – Midterm
Thursday, December 17, 2015

Student ID# _____

Question Number 2.

December 14, 2015

My dearest Attorney,

As I am moving to Hawaii, I wish to give my Sonoma County home away. Going first to my son Johnny Smith, that is if he is living a clean and sober life, then to my nephew Mr. Richard Smith, if he has finally graduated from law school. If not then to the Sonoma County Society for the Treatment of Didaskaleinophobia. I am only willing to pay for 1 hours' worth of your time. I want the deed to sign and some explanation as to the legal rights duties and responsibilities this has and any **useful** suggestions. Please don't waste my time by telling me about what this isn't. My head is still spinning from our last conversation about the Rule Against Perpetuities.

Thanks,
Mr. John Smith
123 Main Street
Santa Rosa, Ca 95401