

## ACADEMIC COURSE SYLLABUS

<b>COURSE TITLE:</b>	<b>REAL PROPERTY</b>	
<b>COURSE NUMBER:</b>	LAW 702A	Real Property - 1st semester of two-semester course*
	LAW 702B	Real Property - 2nd semester of two-semester course*
	LAW 702A/B*	Real Property
	* Denotes all non-severable, two semester courses. Both semesters must be successfully completed to receive final A/B course grade.	
<b>UNITS:</b>	3 Units/Semester (must complete both semesters to earn 6-Unit final grade at the end of both semesters)	
<b>COURSE TYPE:</b>	Required	
<b>PROFESSOR(S) NAME:</b>	Prof. Lawrence E. Ornell	
<b>PROFESSOR CONTACT INFO:</b>	Email: <a href="mailto:LOrnell@empirecollege.com">LOrnell@empirecollege.com</a>	
<b>SCHEDULE:</b>	Two-semester class: Fall 2015, Wednesdays 6:00-9:00pm, Room # 212 and Spring 2016, Wednesdays 6:00-9:00pm, Room # 212	
<b>PREREQUISITES:</b>	Completion of second-year required coursework.	
<b>COREQUISITES:</b>	None	
<b>TEXTS AND MATERIALS:</b> (Identification of any texts, materials and references used throughout the course.)	<i>CONTEMPORARY PROPERTY, 4<sup>th</sup> Edition</i> , Nelson, Medill, Saxer & Whitman, American Casebook Series, West Group, 2013 ISBN-13: 978-0314927040	
<b>COURSE DESCRIPTION:</b>	The law of real property; historical background; common law estates and interests; statute of uses and modern conveyancing; concurrent ownership; landlord and tenant; deeds and delivery; boundaries; recording acts and title search; contract for sale of land; easements, servitudes and other land use restrictions; adverse possession; landowners; rights, including air, water, mineral and lateral and subjacent support.	
<b>COURSE OBJECTIVES / ANTICIPATED LEARNING OUTCOMES:</b> (Description of what students will be expected to know and be able to do at the end of the course. What skills or knowledge will be gained by the end of the course.)	<p>This course will provide students with an understanding of the most important concepts of property law. Students will learn to recognize property law issues and develop strategies for approaching and solving problems.</p> <p>The course is intended to help prepare students to competently represent clients.</p> <p>Students must demonstrate they possess a minimum level of knowledge to pass a CA State Bar Examination question involving the subject matter of the law of real property; historical background; common law estates and interests; statute of uses and modern conveyancing; concurrent ownership; landlord and tenant; deeds and delivery; boundaries; recording acts and title search; contract for sale of land; easements, servitudes and other land use restrictions; adverse possession; landowners; rights, including air, water, mineral and lateral and subjacent support.</p> <p>Students should expect to spend a <u>minimum</u> of two hours/per hour of instruction time on assigned readings and briefing cases. For example, a 3-hour class would require at least 6 hours of outside</p>	

	preparation time per week.
<b>FORMAT OVERVIEW / METHOD OF INSTRUCTION</b> (Description of how the course will be taught, including breakdown of lecture, practicum, etc.)	Course material will be presented in a lecture-discussion and Socratic method format. Students should be prepared to brief all cases assigned. The focus will be on approaching assigned cases as real examples of clients with real legal problems. Students will be expected to be prepared, to think creatively about the issues presented, and to participate.
<b>EXAMS:</b>	Two essay questions and a series of multi-state/multiple choice questions will be given for both the midterm and final exams. For the essay questions, students will be expected to identify the legal issues raised in the fact patterns, apply the appropriate rules of law, and arrive at a well reasoned conclusion. For the multi-state/multiple choice questions, students will be expected to choose the best of alternative answers, according to generally accepted common law views, without consideration of any statutes.
<b>GRADING / ASSESSMENT CRITERIA/CLASS POLICIES:</b>	Empire College uses the following grading system: <u>Numerically graded classes:</u> 90 – 100 A Outstanding 80 - 89 B Superior 70 - 79 C Satisfactory 65 - 69 D Unsatisfactory 64 and Below Failing/No Credit  Only numeric grades in Required courses are used to calculate grade point average.  The course grade will be comprised of the results of:  Midterm exam - 50% And Final cumulative exam - 50% Students will be expected to be prepared, to think creatively about the issues presented, and to participate. Instructor may deduct up to 3 points from course grade for lack of preparation or participation or failure to submit any assigned projects.
<b>ATTENDANCE:</b>	Regular and punctual attendance is essential for the successful completion of law school. Students should plan to attend every class. Students must attend a <b>minimum of 80% (36 hours — 12 of 15 classes)</b> of the class sessions during each semester. Roll will be taken at each class.  Make-up classes to be scheduled if needed.
<b>ASSIGNMENTS: FALL 2015</b>	Note: All text page references are to Nelson, Medill, Saxer & Whitman, <i>Contemporary Property, Fourth Edition</i> .
<b>Week 1: 9.2.15</b>	<b>Chapter 1 – Property, Possession and Ownership</b> <b>1. The Concept of Property,</b> PGS. 3 - 76

		<b>A. Limitations on Property Rights.</b> <b>B. Possession and Ownership</b>
<b>Week 2: 9.9.15</b>	PGS 77 - 111	<b>Chapter 2 – Personal Property</b> <b>A. Property Rights Possession</b>
<b>Week 3: 9.16.15</b>	PGS. 111 - 160	<b>Chapter 2 – Personal Property</b> <b>B. Intellectual Property</b>
	PGS. 160 - 214	<b>Chapter 2 – Personal Property</b> <b>C. Gifts</b> <b>D. Bailments</b> <b>Chapter 3 – Transferring Property</b> <b>A. Inter Vivos</b> <b>B. Intestate Succession</b> <b>C. Testamentary Disposition</b>
<b>Week 5: 9.30.15</b>	PGS. 215- 264	<b>Chapter 4- Estates</b> <b>A. Present and Future Estates</b>

<b>Week 6: 10.7.15</b>	PGS. 264-303	<b>Chapter 4 – Estates</b> <b>B. Marital Estates</b>
<b>Week 7: 10.14.15</b>	PGS. 303- 377	<b>Chapter 4 – Estates</b> <b>C. Concurrent Estates</b>
<b>Week 8: 10.21.15</b>	PGS. 379- 424	<b>Chapter 5 – Landlord and Tenant</b> <b>A. Major Themes</b> <b>B. Creation of the Leasehold</b>
<b>Week 9: 10.28.15</b>	PGS. 425- 473	<b>Chapter 5 – Landlord and Tenant</b> <b>C. Fundamentals</b>
<b>Week 10: 11.4.15</b>	PGS. 473- 521	<b>Chapter 5 – Landlord and Tenant</b> <b>D. Transfer and Termination of the Lease</b>
<b>Week 11: 11.11.15</b>	PGS. 525-567	<b>Chapter 6 – Contracts for the Sale of Land</b> <b>A. Real Estate Brokers</b> <b>B. The Statute of Frauds and Part Performance</b>
<b>Week 12: 11.18.15</b>	PGS. 567- 617	<b>Chapter 6 – Contracts for the Sale of Land</b> <b>C. Remedies and Real Estate Contracts</b> <b>D. Time of Performance and Tender</b> <b>E. Title to be Conveyed</b>
<b>Week 13: 11.25.15</b>	PGS. 617- 651	<b>Chapter 6 – Contracts for the Sale of Land</b> <b>F. Equitable Conversion</b>

	<b>G. Introduction to Mortgage Financing H. Conditions in Contracts</b>
<b>Week 14: 12.2.15</b>	<b>REVIEW OF FIRST SEMESTER</b>
<b>Week 15: Midterm date TBA</b>	Midterm exam –3-hour exams with 2 Essay questions and MBEs. Exam schedule will be published during the semester. Be sure to watch for exact date.

<b>ASSIGNMENTS: SPRING 2016</b>	
<b>Week 1: 1/6/16</b>	PGS. 653 – 671 <b>Chapter 7 – Deeds and Titles</b> A. Deeds
<b>Week 2: 1/13/16</b>	PGS. 671- 738 <b>Chapter 7 – Deeds and Titles</b> <b>B. Land Descriptions</b> <b>C. Delivery and Escrows</b> <b>D. Liability of Sellers for Property Defects</b> <b>E. Title Covenants in Deeds</b>
<b>Week 3: 1/20/16</b>	PGS. 738-791 <b>Chapter 7 – Deeds and Titles</b> <b>F. Title Assurance Methods</b> <b>G. Title Insurance</b>
<b>Week 4: 1/27/16</b>	PGS. 791 -840 <b>Chapter 7 – Deeds and Titles</b> <b>H. Settlements</b> <b>Chapter 8 – Easements</b> <b>A. Nature and Types</b> <b>B. Easements Created by Grant</b> <b>C. Easements Created by Implication</b>
<b>Week 5: 2/3/16</b>	PGS. 841-902 <b>Chapter 8 – Easements</b> <b>D. Prescriptive Easements</b> <b>E. Scope of Easements</b> <b>F. Extinguishment of Easement Rights</b>
<b>Week 6: 2/10/16</b>	PGS. 903-947 <b>Chapter 9 – Covenants Running with Interests in Land</b> <b>A. Introduction</b> <b>B. Covenants Between Landlord and Tenant</b>
<b>Week 7: 2/17/16</b>	PGS. 947-1002 <b>Chapter 9 – Covenants Running with Interests in Land</b> <b>C. Covenants Between Owners in Fee</b>
<b>Week 8: 2/24/16</b>	PGS. 1003 – 1044 <b>Chapter 9 – Covenants Running with Interests in Land</b> <b>C. Covenants Between Owners in Fee</b>

<b>Week 9: 3/2/16</b>	PGS. 1047 - 1107	<b>Chapter 10 – Public Land Use Control and Regulation</b> <b>A. Introduction</b> <b>B. The Right to Reasonable Use: Nuisance</b> <b>C. Fundamental Principles of Planning and Zoning</b> <b>D. Original Zoning</b> <b>E. Departures From Original Zoning</b>
<b>Week 10: 3/9/16</b>	PGS. 1107-1161	<b>Chapter 10 – Public Land Use Control and Regulation</b> <b>F. Constitutional Limitations on Land Use</b>
<b>Week 11: 3/16/16</b>	PGS. 1161-1209	<b>Chapter 10 – Public Land Use Control and Regulation</b> <b>G. Substantive Due Process</b> <b>H. Equal Protection</b> <b>I. Free Speech</b> <b>J. Free Exercise of Religion</b>
<b>Week 12: 3/23/16</b>	<b>California Cases – researched online -- applying what you have learned.</b>	
<b>Week 13: 3/30/16</b>	<b>California Cases – researched online -- applying what you have learned.</b>	
<b>Week 14: 4/6/16</b>	Course review.	
<b>Week 15: Final Exam date TBA</b>	3-hour Final Examination – The final exam will be cumulative, covering all course material from both semesters. 3-hour exams with 2 Essay questions or and MBEs Exam schedule will be published during the semester. Be sure to watch for exact date.	

Syllabus subject to change.