

ACADEMIC COURSE SYLLABUS

COURSE TITLE:	REAL PROPERTY	
COURSE NUMBER:	LAW 702A	Real Property - 1st semester of two-semester course*
	LAW 702B	Real Property - 2nd semester of two-semester course*
	* Denotes all non-severable, two semester courses. Both semesters must be successfully completed to receive final A/B course grade.	
UNITS:	3 Units/Semester (must complete both semesters to earn 6-unit final grade at the end of both semesters)	
COURSE TYPE:	Required	
PROFESSOR NAME:	Louise J. Belle, Esq.	
PROFESSOR CONTACT INFO:	Email: ljbelleslettres@gmail.com	
SCHEDULE:	Two-semester class: Fall 2017: Thursdays 6-9pm, Room # 212 --and-- Friday, November 17, 5-8pm, Room #212 Spring 2018: Thursdays 6-9 pm, Room #212 --and-- Friday, January 19, 5-8pm, Room #212	
PREREQUISITES:	Completion of second-year required coursework.	
COREQUISITES:	None	
TEXTS AND MATERIALS: (Identification of any texts, materials and references used throughout the course.)	<i>Contemporary Property, 4th Edition</i> , Nelson, et al., West Academic Publishing, 2013; ISBN-13: 978-0314927040 <i>The Immortal Life of Henrietta Lacks</i> , Skloot (2010), pp. 199-206 and 315-328 (to be emailed to students from the Law School office)	
COURSE DESCRIPTION:	The law of real property; historical background; common law estates and interests; statutes of uses and modern conveyancing; concurrent ownership; landlord and tenant; deeds and delivery; boundaries; recording acts and title search; contracts for sale of land; easements, servitudes and other land use restrictions; adverse possession; landowners' rights, including air, water, mineral, and lateral and subjacent support.	
COURSE OBJECTIVES / ANTICIPATED LEARNING OUTCOMES: (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.)	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. The course is intended to help prepare students to competently represent clients. Students must demonstrate they possess a minimum level of knowledge to pass a California State Bar Examination question involving the subject matter of the law of real property; historical background; common law estates and interests; statutes of uses and modern conveyancing; concurrent ownership; landlord and tenant; deeds and delivery; boundaries; recording acts and title search; contracts for sale of land; easements, servitudes and other land use restrictions; adverse possession; landowners' rights, including air, water, mineral, and lateral and subjacent support. 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 preparation time per week.	

<p>FORMAT OVERVIEW / METHOD OF INSTRUCTION (Description of how the course will be taught, including breakdown of lecture, practicum, etc.)</p>	<p>Course material will be presented in a lecture-discussion and Socratic method format. Students should brief all assigned cases, and read all other assigned materials. Be prepared to discuss all assigned materials for each class. Class participation may include occasional short essays written in class in response to questions about the readings and class discussion. Both the quantity and quality of participation will be considered.</p>
<p>EXAMS:</p>	<p>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 and apply the appropriate rules of law. For the multi-state/multiple choice questions, students are expected to choose the best of alternative answers according to generally accepted common law views, without consideration of any statutes. Exams begin promptly at 6pm. Take-home exams and papers must be submitted to the Law School office by 6pm. on the due date, unless otherwise noted. All students must take examinations as scheduled. It is recognized that in special circumstances and due to emergencies, it may be necessary to schedule delayed examinations. An emergency is defined as a serious illness or injury to the student or a member of his or her immediate family. Special Circumstances are defined as other situations that, in the opinion of the Dean, are sufficient to warrant delay in taking examinations. Any student taking delayed examinations <u>must have the prior written approval of the Dean.</u> No examination may be taken <u>prior</u> to the day of the regularly scheduled examination. If delayed examinations are approved by the Dean, <u>a fee of \$75 will be charged for each such exam taken.</u> Failure to complete an exam is not sufficient reason for a late or retake exam.</p>
<p>GRADING / ASSESSMENT CRITERIA/CLASS POLICIES:</p>	<p>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 consist of the results of: Midterm exam - 30% Final cumulative exam - 50% Class Participation – 20% Both the quantity and quality of participation will be considered.</p>
<p>ATTENDANCE:</p>	<p>Regular and punctual attendance is essential for the successful completion of law school. Students should plan to attend every class. Students must attend a minimum of 80% of class hours of</p>

	<p>the class sessions during the semester. Roll will be taken at each class.</p> <p>Make-up classes will be scheduled if needed.</p> <p>Class sessions that are delayed or cancelled because of holidays or policy of Empire College School of Law, and are rescheduled for a different date are considered regularly scheduled class sessions, not make-up classes. A student who has exceeded the absence limits will be automatically dropped from the course.</p>
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ASSIGNMENTS: FALL 2017	
Week 1: 8/31/17	<p>Chapter 1: Property Law Concepts and Theories</p> <p>A. What is Property? pp. 3-22</p> <p>B. Limitations on Individual Property Rights: pp. 22-52</p> <p>C. Possession and Ownership: pp. 52-76</p> <p>--and--</p> <p><i>The Immortal Life of Henrietta Lacks</i>, Skloot (2010), pp. 199-206 and 315-328 (to be emailed to students from the Law School office)</p>
Week 2: 9/07/17	<p>Chapter 2: Personal Property</p> <p>A. Property Rights Based on Possession: pp. 77-111</p>
Week 3: 9/14/17	<p>Chapter 2: Personal Property (cont.)</p> <p>B. Intellectual Property: pp. 111-148</p>
Week 4: 9/21/17	<p>Chapter 2: Personal Property (cont.)</p> <p>B. Intellectual Property (cont.): pp. 148-160</p> <p>C. Gifts of Personal Property: pp. 160-169</p> <p>D. Bailments of Personal Property: pp. 169-185</p>
Week 5: 9/28/17	<p>Chapter 3: Methods of Transferring Property: An Overview</p> <p>A. Inter Vivos Transfers: pp. 187-193</p> <p>B. Intestate Succession: pp. 193-199</p> <p>C. Testamentary Disposition: pp. 199-214</p>
Week 6: 10/05/17	<p>Chapter 4: Estates</p> <p>A. Present and Future Estates: pp. 215-264</p>
Week 7: 10/12/17	<p>Chapter 4: Estates (cont.)</p> <p>A. Present and Future Estates (cont.): pp. 248-297</p> <p>B. Marital Estates: pp. 297-303</p>
Week 8: 10/19/17	<p>Chapter 4: Estates (cont.)</p> <p>C. Concurrent Estates: pp. 303-377</p>
Week 9: 10/26/17	<p>Chapter 5: Landlord and Tenant</p> <p>A. Major Themes: pp. 379-381</p> <p>B. Creation of the Leasehold Relationship: pp. 382-424</p>
Week 10: 11/02/17	<p>Chapter 5: Landlord and Tenant (cont.)</p> <p>C. Fundamentals of the Landlord and Tenant Relationship: pp. 425-473</p>
Week 11: 11/09/17	<p>Chapter 5: Landlord and Tenant (cont.)</p> <p>D. Transfer and Termination of the Lease: pp. 473-521</p>
Week 12: 11/16/17	<p>Chapter 6: Contracts for the Sale of Land</p> <p>A. Real Estate Brokers: pp. 525-546</p> <p>B. The Statute of Frauds and Part Performance: pp. 546-567</p>

Week 13: 11/17/17 • Friday, 5-8pm •	Chapter 6: Contracts for the Sale of Land (cont.) C. Remedies and Real Estate Contracts: pp. 567-594 D. Time of Performance and Tender: pp. 594-604 E. Title to be Conveyed: pp. 604-617
Week 14: 11/30/17	REVIEW
Week 15: Date TBA	Midterm exam: 3-hour exam with 2 essay questions and MBEs. Exam period runs 12/4 to 12/14/2017. Watch for specific date when posted by law school office.

ASSIGNMENTS: SPRING 2018	
Week 1: 1/11/18	Chapter 6: Contracts for the Sale of Land (cont.) A. - E. Review: pp. 525-617
Week 2: 1/18/18	Chapter 6: Contracts for the Sale of Land (cont.) F. Equitable Conversion: pp. 617-634 G. Introduction to Mortgage Financing: pp. 634-647 H. Conditions in Contracts: pp. 647-651
Week 3: 1/19/18 • Friday, 5-8pm •	Chapter 7: Deeds and Titles A. Deeds: pp. 653-671 B. Land Descriptions: pp. 671-679
Week 4: 1/25/18	Chapter 7: Deeds and Titles (cont.) C. Delivery and Escrows: pp. 679-700 D. Liability of Sellers for Property Defects: pp. 700-725 E. Title Covenants in Deeds: pp. 725-738
Week 5: 2/01/18	Chapter 7: Deeds and Titles (cont.) F. Title Assurance Methods: pp. 738-774 G. Title Insurance: pp. 775-791 H. Settlement: pp. 791-797
Week 6: 2/08/18	Chapter 8: Easements A. Nature and Types: pp. 801-810 B. Easements Created by Grant and the Effect of Informal Grant or License: pp. 811-822 C. Easements Created by Implication: pp. 823-840
Week 7: 2/15/18	Chapter 8: Easements (cont.) D. Prescriptive Easements: pp. 841-857 E. Scope of Easement Rights: pp. 857-883 F. Extinguishment of Easement Rights: pp. 883-902
Week 8: 2/22/18	Chapter 9: Covenants Running with Interests in Land A. Introduction: pp. 903-912 B. Covenants Between Landlord and Tenant: pp. 912-947
Week 9: 3/01/18	Chapter 9: Covenants Running with Interests in Land (cont.) C. Covenants Between Owners in Fee: pp. 947-997
Week 10: 3/08/18	Chapter 9: Covenants Running with Interests in Land (cont.) C. Covenants Between Owners in Fee (cont.): pp. 997-1044
Week 11: 3/15/18	Chapter 10: Public Land Use Control and Regulation

	<p>A. Introduction: pp. 1047-1049</p> <p>B. The Right of Reasonable Use: Nuisance: pp. 1049-1066</p> <p>C. Fundamental Principles of Planning and Zoning: pp. 1066-1076</p> <p>D. Original Zoning: pp. 1077-1091</p> <p>E. Departures from Original Zoning: pp. 1091-1107</p>
Week 12: 3/22/18	<p>Chapter 10: Public Land Use Control and Regulation (cont.)</p> <p>F. Constitutional Limitations on Land Use Regulations: The Fifth Amendment Takings Clause: pp. 1107-1161</p>
Week 13: 3/29/18	<p>Chapter 10: Public Land Use Control and Regulation (cont.)</p> <p>G. Substantive Due Process: pp. 1161-1175</p> <p>H. Equal Protection: pp. 1175-1179</p> <p>I. Free Speech: pp. 1179-1191</p> <p>J. Free Exercise of Religion: pp. 1192-1209</p>
Week 14: 4/05/18	REVIEW
Week 15: Date TBA	<p>Final exam: 3-hour exam with 2 essay questions and MBEs.</p> <p>The final exam will be cumulative, covering all course material from both semesters.</p> <p>Exam period runs 4/9 to 4/19/2018. Watch for specific date when posted by law school office.</p>

Syllabus subject to change.