

**WESTERN STATE UNIVERSITY
COLLEGE OF LAW**

PROPERTY II – Fall 2014

SYLLABUS AND COURSE POLICIES

Professor Todd Brower
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Office hours: Monday: 10:30AM – 12:00 PM
Tuesday: 9:30 AM – 12:00 PM

The Third Floor Receptionist makes all my appointments. Please do not call me to cancel or to schedule an appointment.

I will also be in class approximately 30 minutes before the starting time. There are part of office hours created especially for this class. This is an open session in which you can always ask questions. There are no appointments needed; first-come, first-served.

Required books: Dukeminier & Krier, Property, (7th ed. 2010).

The required text is to be brought to all classes. Additional handouts may be assigned.

Course description and objectives:

Property II is a two-unit, graded course. It is part of the basic required curriculum for all students.

The purpose of this course is to explore the system of real property ownership in the United States. We will focus on the system for land sales transactions, on public and private land-use planning devices, and other doctrines concerning the rights and duties of property ownership.

Examinations and Grading

Property II is taught and graded separately from Property I. Grading in this class shall be numerical on a 4.0 scale.

Each student will receive a numeric grade for the course 4.0 to 0.0. Course grades will be based on the final examination and successful completion of other exercises that may possibly be given throughout the semester.

Written Exercises: There may be mandatory, graded, written exercises and/or exams throughout the semester. Failure to satisfactorily complete all these assignments will result in a lowering of your final course grade by 0.3 – 0.4 depending on the original grade. For example, if your grade would ordinarily have been 3.3 in the course, you will receive a 3.0; if your grade would have been a 2.7, you will receive a 2.3.

Midterm and Final Exam: The midterm will count as 25% of your final course grade. The date will be October 21, 2014. Format to be announced later.

The final examination will count 75% of the course grade. The final exam will consist of a multiple-choice section that counts for 25% of the course grade, and an essay section that counts for 50% of the course grade.

Class Participation: Normally, class participation will not count towards the overall course grade. However, consistent lack of preparation over the semester may result in a reduction of up to 10% of the overall course grade.

Copies of my previous examinations will be available in the library on reserve. Students are encouraged to take practice examinations. I will be happy to review practice examinations in my office during office hours.

Attendance and Participation

A seating chart will be distributed at the beginning of the first class. Please print your name legibly in the seat you choose for your permanent seat. If you wish to change your seat, please notify me so that the seating chart can be adjusted accordingly.

I strongly encourage you to choose a seat near the front of the classroom. Educational studies show that students sitting near the front benefit most from the classroom experience. Because all students will be required to participate, your seat choice will not enhance or reduce the likelihood of your being chosen to recite in class. Because I make every effort to learn the names of each student in my classes, your choice of seat will not assure you of anonymity either.

Classes begin promptly at the scheduled time. Please be in your seat for the start of class. Students who arrive late disrupt the learning process for others. If you are unavoidably late, please enter quietly through the rear entrance and take your assigned seat.

I will take attendance at the beginning of each class. ***In accordance with the wsu student handbook, if you miss more than two classes, you will be academically dismissed from the course.*** Additionally, if you arrive late or

depart early without permission, you may be marked absent for the entire session.

Assignments:

I have listed the reading assignments for the entire semester. Please read the entire assignment before the first class for each topic.

COURSE SCHEDULE

<u>Topics/Reading/Assignments</u>	<u>Pages</u>
Land Sales Transactions, Marketable Title	(517-540), 547-557, 559-564
The Deed	585-606
Security Interests in Land	616-621, 627-630
Recording and Title	645-658, (658-661), 667-688, 693-702
Land-Use: Private Arrangements, Easements/Licenses	763-798, 812-830, 842-845
Land-Use: Private Arrangements, Covenants/Servitudes	847-876, 882-892
Public Land-Use: Zoning	925-940, (941-945), 968-978, 1019-1029
Public Land-Use: Takings	1061-1096, 1113-1129, 1131-1158, 1166-1189
Final Examination	