

Property Spring 2022

Law 108

Syllabus

Professor Contact information

Norman Hill

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Office hours—Thursday 7 A.M. at Rick’s and by appointment.

Textbook

All reading assignments are from the adopted textbook, Dukeminier, Krier, Alexander, Schill and Strahilevitz, Property, Ninth Ed. (2018). The assignments are set forth below. These assignments may change or be updated depending on the pace of the class.

Course Description

This course is a survey of the law of property. We will review, discuss and consider the doctrinal foundations of property including the acquisition, disposition, transfer and regulation of property.

Learning Objectives

The goal of this course is to provide students with a solid understanding of the law of property as a primary element of legal education. Students will develop legal analytical skills while analyzing the development of this substantive area of law. After taking this class students should be able to identify legal issues involving property and be able to resolve complex questions by applying legal rules as well as explain why the student’s solution is preferable to other alternatives. Students will also be exposed to a variety of practice areas as an introduction for future inquiry and scholarship.

Class Expectations—Preparation, Attendance and Participation

Preparation before class is critical to student success in this course. The readings are selected to give students the opportunity to master the black letter law of subject before coming to class. Class time is used to discuss the materials in greater depth and to compare and contrast doctrines and policy, as well as consider practical applications of the material. If students are unprepared it wastes class time and deprives the class of the benefits of each student’s best efforts.

Accordingly, students should prepare for class the way they would prepare to represent a client in court. They should have a mastery of the written material and be able to discuss it in depth with their colleagues during class. Students should be prepared to be called on in every class.

In preparing for class, students should try and identify the key facts in the case and be able to explain why those facts are critical to the court's resolution of the case. Students should also be able to articulate the key legal issue in the case and explain why that issue is pivotal to understanding the result. Students will often be called on in class to apply the rule and reasoning of the primary case to hypotheticals offered in class.

Attendance is critical. Students should be aware of the school policy that prohibits the student from taking the final if they have missed too many classes. Students are responsible for keeping track of their attendance and ensuring they do not exceed the maximum number of absences allowed.

Some of our classes will be by Zoom to accommodate the schedule. Those dates are noted on the reading assignments below and are in addition to the quiet period for the first two weeks of class. The Zoom link will be available via WISE

Assistance Outside of Class

My office hours are Thursday mornings before class. When we are in person, I will be at Rick's shortly after 7 A.M. Feel free to drop in. When we are on Zoom, I will open the class at approximately 7 A.M. and I will be available online. I am also available as a resource for you individually or with study groups by appointment. You may contact me by email to schedule a meeting time. I am also available by email and text.

Reading Assignments

Jan.	10	No Class
	11	Acquisition—Discovery, 1-19
	12	Acquisition- Capture, 27-46
	13	Acquisition—Find, 53-63
	17	No class (MLK)
	18	Acquisition—Find, 63-70
	19	Acquisition—Adverse Possession, 70-89
	20	Acquisition—Adverse Possession, 89-103
	24	Acquisition—Gift, 114-129
	25	Acquisition—Creation, 131-148

- 26 Acquisition—Creation 148-160
- 27 Limits on ownership—Public Domain, 179-198
- 31 Limits on Ownership—Right to Exclude and Alienate, 205-223
- Feb. 1 Limits on Ownership—Right to Destroy, 232-245
- 2 Estates—Introduction, 247-265
- 3 Estates—Life Estates, 265-282
- 7 Estates—Life Estates, 282-294
- 10 Estates—Seisin and Defeasible Estates, 282-294
- 14 Future Interests, 294-309 (See review questions on p. 310)
- 15 Future Interest, 313-327
- 16 Future Interests, 327-337
- 17 Future Interests, 337-345
- 21 Future Interests, 345-360
- 22 Concurrent Estates, 387-403
- 23 Concurrent Estates, 405-416
- 24 Concurrent Estates 415-427 (Remote by Zoom)
- 28 Landlord Tenant, 461-471
- Mar. 1 Landlord Tenant, 471-483
- 2 Landlord Tenant, 483-500
- 3 Landlord Tenant, 500-522
- 7 Landlord Tenant, 522-532
- 8 Landlord Tenant, 533-546
- 9 Land Transfers, 553-581
- 10 Land Transfers, 591-611
- 14 Land Transfers, 611-622

15	Recording, 661 -682
16	Recording, 683-707
17	Nuisance, 731-749
21	Spring Break
22	Spring Break
23	Spring Break
24	Spring Break
28	Nuisance, 749-760
22	Easements, 761-777
23	Easements, 777-799
24	Easements, 799-818
28	Easements, 818-832
29	Covenants, 835-843
30	Covenants, 843-853
31	Covenants, 853-865
4	Zoning, 995-910
5	Zoning, 910-935
6	Zoning, 962-996
7	Eminent Domain, 997-1021
11	Eminent Domain, 1021-1042
12	Eminent Domain, 1042-1068
13	Eminent Domain, 1068-1088
14	Eminent Domain, 1088-1102
18	Review/Exam Prep