

## Chapter 2 – The Nature of Real Property

1. D

Explanation: Four square miles is larger than any of the other options. Two sections is equal to two square miles. 10% of a township is 3.6 square miles. And a parcel 5,280' by 10,560' is one mile by two miles, so it contains two square miles.

2. C

Explanation: Generally, no information about the title of personal property is available through public records. While a bill of sale may be used to transfer personal property, most personal property transfers do not use one, since title to personal property can pass through taking possession. For instance, at the supermarket, one simply takes possession of groceries, rather than receiving a bill of sale.

3. B

Explanation: A bill of sale must be in writing. The writing must identify the parties and be signed by the parties.

4. A

Explanation: Start by determining the size of the first parcel. 640 acres divided by 4 is 160 acres. 160 acres divided by 2 is 80 acres. 80 acres divided by 2 is 40 acres. 40 acres divided by 2 is 20 acres. And 20 acres divided by 2 is 10 acres. Now, find the area of the second parcel. 640 acres divided by 4 is 160 acres. 160 acres divided by 4 is 40 acres. And 40 acres divided by 2 is 20 acres. Add 10 acres to 20 acres for a total area of 30 acres.

5. B

Explanation: Property is not limited to tangible things. It can also include appurtenances, which are intangible rights, such as the right to extract minerals.

6. B

Explanation: Since a stud is part of a house's frame, it is a permanent part of the real estate. The other options are all personal property.

7. C

Explanation: While the "bundle of rights" includes the right to possess, use, will, and sell property, these rights are always subject to the interests of the government and other parties.

8. D

Explanation: Trade fixtures are not appurtenant to land nor attached to land. Since they are installed by a tenant who has the intention to remove them, trade fixtures are not considered part of the real property.

9. A

Explanation: To solve this problem, start with the size of a section (640 acres) and work backwards. 640 divided by 4 is 160. 160 divided by 4 is 40. 40 divided by 4 is 10. 10 divided by 2 is 5.

10. B

Explanation: A manmade attachment that has been incorporated into real property is called a fixture.

11. C

Explanation: The easiest way to remember the difference between real property and personal property is to think of real property as immovable and personal property as movable.

12. B

Explanation: In the absence of a written agreement, courts apply a series of tests to classify the item in dispute, including (1) the method of attachment; (2) the intention of the annexor; (3) adaptation of the item to the realty (adaptability); and (4) the relationship of the parties in the dispute.

13. D

Explanation: As long as the lumber is not attached to the land, it is its owner's personal property, not a fixture.

14. B

Explanation: The water rights of owners whose property is adjacent to water are called riparian rights.

15. B

Explanation: Township lines are east-west; range lines are north-south. Township lines are based on a base line, while range lines are based on a principal meridian.