

## **LAW 7124-03: PROPERTY II**

### **SYLLABUS**

Prof. Bell  
Spring 2016

#### **COURSE DESCRIPTION AND OBJECTIVES**

Property law surrounds us, providing a fundamental framework for our social world. Property law determines what we own, which rights we enjoy, and how we can transfer those rights to others. Property I focused on first possession, sharing ownership with others, estates and future interests, landlord-tenant relations, and land transactions. This semester, in Property II, we will cover recordation, loans, servitudes, and land use controls.

Together with Property I, this course prepares you to analyze a wide variety of property law issues at a general level. Dealing with particular problems, such as commercial leases or foreclosures, may require additional and specialized study. This class will also polish your legal reasoning skills and introduce you to some of the practical and ethical concerns of working attorneys. Property law provides a fundamental framework for *all* of us; for some, it also provides a rewarding area of practice.

#### **GRADING**

A final exam of essay and multiple-choice questions will count for 75% of your grade for the course. The essay portion will predominate. It will be partially closed-book; the multiple-choice part will be closed-book. A similarly formatted mid-term exam will count for 25% of your course grade.

Your class participation may also affect your grade. I will throughout the semester call on students at random to ask questions about the assigned materials and related hypothetical problems. If you are not prepared to engage in such a discussion you may elect to pass. There is no penalty for passing once, but any student who elects to pass more than once, or who exhibits grossly inadequate preparation, will lose .1 points from his or her final grade for each such occurrence.

## CONTACT INFORMATION

I encourage you to contact me if you have questions or comments about what we discuss in class or about law school in general. I hold regular office hours in room 438 each Wednesday from 10 a.m. until 3 p.m. and each Friday from 10:00 a.m. until 1:00 p.m. You will often find me in on other days and at other times. I welcome visits at such times by chance or by appointment. Email [tbell@chapman.edu](mailto:tbell@chapman.edu) to set up a meeting, whether in person or via Skype. On Blackboard and at [www.tomwbell.com/teaching.html](http://www.tomwbell.com/teaching.html) you can find course documents and study materials.

## READING ASSIGNMENTS

This syllabus sets forth the readings assigned from the course's only required text, PROPERTY LAW: PRACTICE, PROBLEMS, AND PERSPECTIVES (Anderson & Bogart, 2014). You should read all of these citations inclusively; "pp. 1-4," for instance, means "pages 1, 2, 3, and 4."

Each class session of 105 minutes has been divided into "a" and "b" subsections, which will be divided by a short break. For the first session, you should thus read the assignments for classes 1a and class 1b, for the secon, the readings for classes 2a and 2b, and so forth. Please note that while I will make a good faith effort to follow this syllabus, I reserve the right to change it.

<u>class #</u>	<u>assignment</u>	<u>(# pages)</u>
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### Introduction

Class 1a:	pp. 529-30, 593-95, 641-46, 701-03, 741-46, 773-74, 819-21	(20)
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### Ch. 8. Recording

Class 1b:	pp. 531-44	(13)
Class 2a:	pp. 544-55	(12)
Class 2b:	pp. 556-69	(13)
Class 3a:	pp. 569-79	(11)

Class 3b: pp. 579-91 (12)

### **Ch. 9. The Loan Transaction**

Class 4a: pp. 593-609 (17)

Class 4b: pp. 609-29 (19)

Class 5a: pp. 630-39 (10)

### **Ch. 10. Easements**

Class 5b: pp. 641-60 (18)

Class 6a: pp. 660-73 (14)

Class 6b: pp. 673-88 (16)

Class 7a: pp. 689-700 (11)

### **Ch. 11. Real Covenants and Equitable Servitudes**

Class 7b: pp. 701-16 (16)

Class 8a: pp. 716-34 (17)

Class 8b: pp. 734-40 (6)

### **Ch. 12. Judicial Land Use Controls: Nuisance**

Class 9a: pp. 743-59 (17)

Class 9b: pp. 759-71 (11)

### **Midterm Exam**

Class 10 (Friday, March 25) (0)

**Ch. 13. Legislative Land Use Control: An Introduction to Zoning**

Class 11a:	pp. 773-86	(14)
Class 11b:	pp. 786-804	(17)
Class 12a:	pp. 804-18	(14)

**Ch. 14. Constitutional Limitations on Land Use Control: The Takings Clause**

Class 12b:	pp. 819-31, 838-42	(18)
Class 13a:	pp. 843-50, 853-72	(27)
Class 13b:	pp. 878-87, 891-96	(14)

**Review**

Class 14:	(TBD)	(0)
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## LAW SCHOOL AND UNIVERSITY ADMINISTRATIVE NOTICES

**Learning Outcome Assessment:** The law school has designated three learning outcomes as important for all students: legal analysis, legal writing, and client representation. This course focuses on the legal analysis of statutes, cases, persuasive codifications, and uniform laws. Under the heading of “client representation,” it also includes consideration of how to practice law professionally and ethically. For other, more general descriptions of the course’s learning outcomes, please see above under “Course Description and Objectives.”

**Accommodations:** In compliance with ADA guidelines, students who have any condition, either permanent or temporary, that may affect their ability to perform in this class are encouraged to contact Associate Dean of Student Affairs and Administration Jayne Kacer or the University Disability Services Office. Dean Kacer is located in the law school Dean's Suite and can be reached at [kacer@chapman.edu](mailto:kacer@chapman.edu) or 714-628-2641. You also may contact the Office of Disability Services at 714-516-4520 or [www.chapman.edu/disabilities](http://www.chapman.edu/disabilities). If your request for an accommodation is granted, please discuss with your professor *only* those accommodations that relate to classroom learning, e.g., the need to sit in a special location, audio taping, etc. Because exam grading is anonymous, please do not discuss with your professors any accommodations related to exams. These accommodations will be handled by the Registrar's Office. The granting of any accommodation will not be retroactive and cannot jeopardize the academic standards or integrity of the course.

**Equity and Diversity Notification:** Chapman University is committed to ensuring equality and valuing diversity. Students and professors are reminded to show respect at all times as outlined in Chapman’s Harassment and Discrimination Policy: <http://tinyurl.com/CUHarassment-Discrimination>. Any violations of this policy should be discussed with the professor, the Dean of Students, and/or otherwise reported in accordance with this policy.