

## RE 310 – Principles of Real Estate

### Sample Exam Questions – Private Restrictions on Ownership – Solutions

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- \_\_\_\_\_ 1. Clarence has an easement to drive across Julie's property to get to his house. Which of the following statements is most correct?
- A. Clarence may continue to drive across Julie's property even after he sells his house.
  - B. JULIE'S PROPERTY IS THE SERVICIENT ESTATE.**
  - C. Julie's property is the dominant estate.
  - D. This easement will terminate when Clarence sells his property.
  - E. None of the above.
- \_\_\_\_\_ 2. An encroachment is
- A. the legal right to use another person's real estate for a specified purpose and within specified limits.
  - B. AN UNAUTHORIZED INTRUSION OF A STRUCTURE ONTO ANOTHER PERSON'S PROPERTY.**
  - C. the government's right to take title to the real estate of someone who dies without any legal heirs.
  - D. a financial claim on real property.
  - E. None of the above.
- \_\_\_\_\_ 3. Which of the following is an example of a negative spillover effect in real estate?
- A. A chemical plant that generates noxious odors.
  - B. A retail shopping center that generates heavy traffic through a nearby residential neighborhood.
  - C. A run-down, poorly-maintained house.
  - D. A wild fraternity party.
  - E. ALL OF THE ABOVE CAN BE EXAMPLES OF NEGATIVE SPILLOVER EFFECTS IN REAL ESTATE.**
- \_\_\_\_\_ 4. **TRUE** or False: The key distinction between an easement in gross and an appurtenant easement is that an appurtenant easement is associated with another piece of real estate.
- \_\_\_\_\_ 5. Restrictive covenants can be used to limit which of the following?
- A. The type of use permitted on the property
  - B. The sale of the property to members of certain ethnic or racial groups
  - C. The materials used in buildings on the property
  - D. Both B and C
  - E. BOTH A AND C**

- \_\_\_\_\_ 6. A new dam and reservoir recently flooded the only public road leading to Mr. Hooper's land. Now the only access to his land is via an access road running across Oscar's property. Based on this information, which of the following statements is most correct?
- A. Mr. Hooper must try and convince or pay Oscar to grant him an easement to use the access road.
  - B. Oscar now owns Mr. Hooper's land because Mr. Hooper no longer has a way to access it.
  - C. **MR. HOOPER MAY PETITION THE COURT TO OBTAIN AN EASEMENT BY NECESSITY TO USE THE ACCESS ROAD ON OSCAR'S PROPERTY.**
  - D. Mr. Hooper can now take title to Oscar's land through a claim of adverse possession.
  - E. None of the above
- \_\_\_\_\_ 7. Which of the following is an example of a positive spillover effect in real estate?
- A. A chemical plant that generates noxious odors.
  - B. A retail shopping center that generates heavy traffic through a nearby residential neighborhood.
  - C. A run-down, poorly-maintained house.
  - D. A wild fraternity party.
  - E. **NONE OF THE ABOVE.**
- \_\_\_\_\_ 8. True or **FALSE**: Violations of restrictive covenants are investigated and prosecuted by local law enforcement officials.
- \_\_\_\_\_ 9. True or **FALSE**: If I fail to pay a bill secured by a lien on my real estate, the court will take my property from me and give it directly to the person holding the lien.
- \_\_\_\_\_ 10. **TRUE** or False: Unlike an easement, a license to use real estate may be revoked by the property owner at any time.
- \_\_\_\_\_ 11. **TRUE** or False: If I use another person's property for an extended period of time in a manner that is visible, open, and notorious, hostile to the true owner's interest, and continuous and exclusive, I may be able to obtain a prescriptive easement to use their property without their permission.
- \_\_\_\_\_ 12. True or **FALSE**: Deed restrictions can be used to place any limitations you would like on future owners of the property.
- \_\_\_\_\_ 13. **TRUE** or False: A utility easement is an example of an easement in gross.
- \_\_\_\_\_ 14. True or **FALSE**: A property owner may revoke an easement at any time.

- \_\_\_\_\_ 15. A claim on property as security for a debt or other obligation is known as a(n)
- A. encroachment.
  - B. LIEN.**
  - C. easement.
  - D. restrictive covenant.
  - E. None of the above
- \_\_\_\_\_ 16. Suppose that Gina sells Alan an easement to run a water line across his property to her property. Gina then sells her property to Maria. Based on this information, which of the following statements is most correct?
- A. Alan's easement automatically expires upon the sale of Gina's property.
  - B. Maria may cancel Alan's the easement if she wishes, but it does not automatically expire when the property is sold.
  - C. Alan's easement remains in place, but he must pay Maria the same amount he paid Gina for the easement.
  - D. ALAN' EASEMENT REMAINS IN PLACE, PERIOD.**
  - E. None of the above
- \_\_\_\_\_ 17. In the question above, Alan's property is known as the
- A. DOMINANT ESTATE.**
  - B. servient estate.
  - C. encroaching estate.
  - D. overwhelming estate.
  - E. lien holding estate.