

REAL PROPERTY II B FALL 2010 - SYLLABUS B PROF. WATSON

<u>CHAPTER 1: CONTRACTS FOR THE SALE OF LAND</u>		<u>TEXT</u>	<u>MY SUPP.</u>	<u>N&W SUPP.</u>
1.	Statute of Frauds and the Doctrine of Part Performance [<i>Johnston v. Curtis (Ark 2000) and Rosenfeld v. Zerneck (NY 2004)</i>]	21-42	07-09	123-132
2.	Remedies for Breach of Contract: Damages [<i>Donovan (N.J. 1982)</i>] Remedies for Breach of Contract: Specific Performance [<i>Schwindler (Ill. 04)</i>]	42-52 52-58	10 10	132-136 138-144
3.	Liquidated Damages [<i>Mahoney v. Tingley (Washington 1975)</i>]	58-65	11-14	
4.	Time of Performance and Tender [<i>Miller v. Almquist (N.Y. 1998)</i>]	65-73	15-16	144-146
5.	Title to be Conveyed [<i>Haisfeld v. Lape (Va. 2002)</i>]	73-85	17-19	148-151
6.	Equitable Conversion [<i>Fulton v. Duro (Idaho 1985)</i>]	85-99	19-20	151-156
7.	Introduction to Mortgage Financing [<i>Schrader v. Benton (Hawaii 1981)</i>]	99-116	21-26	-----

<u>CHAPTER 2: DEEDS AND TITLES</u>		<u>TEXT</u>	<u>MY SUPP.</u>	<u>N&W SUPP.</u>
8.	Deeds [<i>Chase Fed. Sav. & Loan v. Schreiber (Florida 1985)</i>]	127-142	27	162-166
9.	Land Descriptions	142-151	28-29	166-168
10.	Delivery and Escrows [<i>Martinez v. Martinez (N.M. 1984)</i>] [<i>Wiggill v. Cheney (Utah 1979)</i>]	151-168	30-32	169-174
11.	Warranties of Quality [<i>Stambovsky v. Ackley (N.Y. 1991)</i>] [<i>Speight v. Walters Dev. (Iowa 2008)</i>]	168-189	33-35	-----
12.	Title Covenants in Deeds [<i>Brown v. Lober (Illinois 1979)</i>]	189-201	36-39	176-179
13.	Title Assurance Methods B Recording Acts	201-219	40-41	179-187
14.	Title Assurance Methods B Searching a Title	219-233	42-44	187-190

AN&W SUPP. @ refers to Grant S. Nelson & Dale A. Whitman, BLACK LETTER OUTLINES: LAND TRANSACTIONS AND FINANCE (West Publishing Co., 4th ed. 2004) (ISBN 0-314-15043-9). This study guide is very helpful.

<u>CHAPTER 4: RIGHTS/DUTIES PRIOR TO FORECLOSURE</u>		<u>TEXT</u>	<u>MY SUPP.</u>	<u>N&W SUPP.</u>
15.	Theories of Title: Possession [<i>Dover Mobile Estates (Cal. 1990)</i>]	358-372	50-52	243-245
16.	Theories of Title: Rents [<i>Millette (5th Cir. 99)</i> and <i>Coleman (Wash. 2003)</i>]	372-392	54-55	245-249
17.	Receiverships [<i>Dart v (Ariz. 1968)</i> and <i>Trustco Bank (NY 1998)</i>]	392-404	56	249-252
18.	Waste [<i>Prudential Ins. Co. v. Spencer= Kenosha Bowl (Wis. 1987)</i>]	404-412	57-59	252-258
19.	Insurance and Real Estate Taxes [<i>Starknan v. Sigmond (NJ 82)</i>]	424-441	61-62	263-273

<u>CHAPTER 5: TRANSFER AND DISCHARGE</u>		<u>TEXT</u>	<u>MY SUPP.</u>	<u>N&W SUPP.</u>
20.	Transfer of Mortgagor=s Interest [<i>Middleton (2003)</i> and <i>Arena (Ind. 1980)</i>]	447-468	63-68	277-291
21.	Restrictions on Transfer by the Mortgagor: The Due-On Clauses	468-483	70-73	291-302
22.	Transfer of Mortgagee=s Interest [<i>In re AppOnline.com (EDNY 2003)</i>] 483-513	74-82	307-318	
23.	Payment Problem, Assignments, etc. [<i>In re Kang Jin Hwang, Cal (2008)</i>]	513-538	84-89	318-327

<u>CHAPTER 6: FORECLOSURE</u>		<u>TEXT</u>	<u>MY SUPP.</u>	<u>N&W SUPP.</u>
24.	Acceleration [<i>Graf v. Hope Bldg. Corp. (N.Y. 1930)</i> ; <i>FHLMC (Fla. 1975)</i>]	586-607	93-94	368-373
25.	Marshaling [<i>Hansen (N.D. 1990)</i>]	607-612	96	373-374
26.	Judicial Foreclosure [<i>Murphy v. Farwell (Wis. 1859)</i>]	612-627	97-100	375-385
27.	Judicial Foreclosure [<i>Citicorp Mortgage (NJ 1990)</i> ; <i>Portland Mortgage v. Creditors Protective Assn (Ore 1953)</i> ; <i>Land Associates v. Becker (Ore 82)</i>]	627-640	102-104	385-387
28.	Power of Sale Foreclosure [<i>Baskurt v. Beal (Alaska 2004)</i>] Power of Sale Foreclosure [<i>In re Edry (Mass. 1996)</i>]	641-655 655-664	106-107 106-107	387-399 387-399
29.	Disbursement of Foreclosure Sale Proceeds; Reacquisition of Title by Mortgagor; [<i>Bank of America (N.M. 2005)</i> ; and <i>Old Republic Ins. (NJ 95)</i>]	700-711	108-110	413B418
30.	Statutory Redemption; Anti-Deficiency Legislation and Related Problems	711-721 729-733	112-117	418-427