

Property Law §2 Spring 2023 Syllabus

Professor Zachary L. Catanzaro
St. Thomas University, College of Law
16401 NW 37th Ave
Miami Gardens, FL 33054

Assistant Professor of Law
(561) 247-3242
zcatanzaro@stu.edu
www.brainstorm.law

Meetings **Location:** CPD-113
Class Times: TR 1:30-3:30 PM
Office Hours: Signups on Canvas
Times: Listed on Canvas
Academic Calendar: [Link](#)

Evaluation Your final examination will be a three-hour, closed book exam. The exam is two parts. Your grade in this course is assessed as follows:
Final Exam (Multiple Choice) – 45%
Final Exam (Essay) – 45%
Participation & Professionalism – 10%

Materials **Casebook:** Dukeminier, Krier, Alexander, Schill, Strahilevitz, *Property Concise Edition* (Aspen 3d ed. 2021). ISBN: 9781543826319
Available at: <https://www.aspenpublishing.com/Dukeminier-PropertyConcise3>.
Make sure that you purchase the “bundled” version.
Suggested Supplement: Burke, Snoe, *Examples & Explanations for Property* (Aspen 6th Ed. 2019). ISBN: 9781454891536
Available at: <https://www.aspenpublishing.com/burke-ee-property6>

Coverage Property introduces students to foundational legal doctrines that govern how people may possess, own, share, transfer, and otherwise use “things.” The course begins with a study of the means of acquiring property, including, but not limited to, adverse possession. The course then explores the system of estates and future interests. The course also examines various types of co-ownership, marital interests, and landlord-tenant law. The course then explores the stages of the land sale transaction, including contracts of sale; the statute of frauds; marketable title; risk of loss and equitable conversion; mortgage financing; interpretation of deeds; methods of title assurance; and the recording system. The course concludes by examining private land use arrangements, including easements, covenants, and servitudes. **This course is required for graduation.**

Prof'l Your reputation earned while in school will follow you into practice. As the [Florida Bar](#) makes clear: “[t]he essential ingredients of professionalism are character, competence, commitment, and civility.” I expect the same in class. **While I am licensed in Florida, I am not your lawyer.**

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- Policy** Do not be afraid to ask questions, express opinions, or challenge my representations, however, please contribute only after reflection and deliberation.
- Plagiarism** Except in the limited circumstance when I permit you to use pre-existing materials, any work product you hand in must be written and created solely by you. Any violation of this policy will be dealt with harshly and may constitute a violation of the *St. Thomas University College of Law Honor Code*.
- Technology** [The Florida Bar wants technologically competent lawyers.](#) You are free to use technology in whatever manner you deem, in your reasonable judgment, best to advance your professional development in my class, if you do so in a manner that does not distract your classmates. However, **your phone should be put away on silent and you are not permitted to record any portion of class.**
- Copyright** All class materials constituting my works of authorship are subject to a [Creative Commons CC-BY-NC-ND 4.0 International License](#). Rights in all other materials are retained by their respective publisher.
- Absences** **There are no excused absences in this class. It is your responsibility to sign the attendance sheet.** You are permitted to miss 20% of this course's sessions under both STU College of Law and ABA Policy. If you have a personal, family, or other emergency problem that will cause you to miss 20% or more of class, you need to contact the Assistant Dean for Student Affairs, as soon as possible.
- Tardiness** [A professional arrives early](#) and [never makes excuses](#). Habitual tardiness or unpreparedness will result in a 0% toward participation and professionalism.
- Accom.** If you believe that you need or are entitled to receive accommodations due to a disability, please consult with the Assistant Dean for Student Affairs as soon as possible. Further information can be found at: <http://www.stu.edu/law/students/disability-accommodations>.
- Amend.** I reserve the right to amend the syllabus as I deem necessary, for any reason, with written notice to you through Canvas or email.

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Readings

Date	Topic	Pages
Jan 10	Conquest	1-14
12	Capture	14-37
17	Ownership	40-65
19	Intellectual Property I	65-94
24	Intellectual Property II	94-107; 118-27
26	Finders; Adverse Possession I	129-53
31	Adverse Possession II	153-69
Feb 2	Gifts	169-87
7	Possessory Estates I	187-210
9	Possessory Estates II	210-22
14	Future Interests I	223-38
16	Future Interests II	238-51
21	Monday Classes Meet	
23	Co-ownership & Marital Interests	255-82
28	Landlord Tenant I	285-86; 291-305
Mar 2	Landlord Tenant II	328-50
7-9	Spring Break	
14	Contract of Sale	353-54; 368-86
16	Deed, Financing, Foreclosures	387-413
21	Recording I	415-35
23	Recording II	435-56
28	Nuisance	459-73
30	Easements I	473-503
Apr 4	Easements II	503-23
6	Easter Break	
11	Covenants	523-45
13	Covenants II	545-60
18	Zoning I	561-79
20	Zoning II	579-604
25	Final Exam Review	
27	Final Exam Review	
May 1	Final Exam	9:00 AM