

# PROPERTY LAW §1 FALL 2023 SYLLABUS

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**Meetings**      **Location:** 103  
**Class Times:** TR 2:30-4:30 PM  
**Office Hours:** Signups available on Canvas  
**Academic Calendar:** [Link](#)

**Evaluation**    **Participation & Professionalism:** 5%  
**Midterm Exam:** 10%  
**Final Exam:** 85%

Examinations are closed book.

**Materials**      **Required Casebook:** Dukeminier, Krier, Alexander, Schill, Strahilevitz, *Property Concise Edition* (Aspen 3d ed. 2021). ISBN: 9781543826319  
<https://www.aspenpublishing.com/Dukeminier-PropertyConcise3>.

**Recommended Supplement:** Burke, Snoe, *Examples & Explanations for Property* (Aspen 6th Ed. 2019). ISBN: 9781454891536  
<https://www.aspenpublishing.com/burke-ee-property6>

**Scope**            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 real, physical, and intangible property and the legal rights and duties that attach to ownership. The course then explores the system of estates and future interests. It continues with 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; foreclosure; methods of title assurance; and the recording system. The course concludes by examining private land use arrangements, including easements, covenants, servitudes, and zoning.

This course is required for graduation.

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

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- Policy** There are no “stupid questions” in my class. Do not be afraid to ask questions, express opinions, or challenge my representations, however, please contribute only after reflection and deliberation.
- Plagiarism** Outside assistance from others on examinations, human or otherwise, will not be tolerated. Any violation of this policy constitutes 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 class.
- Absences** There are no excused absences in this class. 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. It is your responsibility to sign the attendance sheet before you leave the room. I do not retroactively correct the attendance sheet.
- Tardiness** [A professional arrives early](#) and [never makes excuses](#). Late students are not admitted as I lock the door at the start of lecture. Habitual unpreparedness will earn you a zero for your participation and professionalism grade.
- Disability** 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>.
- Copyright** All class materials constituting my works of authorship are subject to a [Creative Commons CC-BY-NC-ND 4.0 International License](#). These include my study guide and other practice materials. You are not permitted to photograph my PowerPoints during class. Rights in all other materials are retained by their respective publisher and authors.
- Changes** 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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## Schedule

Date	Topic	Pages
Aug 15	Conquest	1-14
17	Capture	14-37
22	Ownership	37-65
24	Intellectual Property I	65-94
29	Intellectual Property II	94-127
31	Finders; Adverse Possession I	129-53
Sept 5	Adverse Possession II	153-69
7	Gifts	169-86
12	Estates I	187-210
14	Estates II	211-22
19	Future Interests I	223-38
21	Future Interests II	238-53
26	Co-ownership & Marital Interests	255-82
28	Midterm Review	No readings
<b>Oct 2-6</b>	<b>Midterms</b>	
10	Leaseholds I	283-313
12	Leaseholds II	313-50
17	Real Estate Contracts	351-54
		Florida Model Contract
		368-86
24	The Deed; Financing; Foreclosures	387-413
26	Recording I	415-35
31	Recording II	435-57
Nov 2	Nuisance	459-72
7	Easements I	473-503
9	Easements II	503-23
14	Covenants I	523-45
16	Covenants II; Zoning	545-77
17	<i>Final Exam Review</i>	<i>Optional</i>
<b>Dec. 5</b>	<b>Final Exam</b>	