

**Assignments for Real Estate Law for Paralegals**  
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**I. Students wrote their responses to the twelve assignments described below as part of their homework for the course. These writing activities were collected by the instructor and used by him as a means of determining the degree to which students were understanding the material presented to them in their textbook and in the classroom discussions. These assignments also gave students practice writing according to the rhetorical and stylistic conventions of legal discourse.**

Assignment #2:

Draft a memorandum of law describing the differences between a fee simple absolute and a fee simple determinable.

Assignment #3:

Draft a clause transferring property located at 1 Nolan Place from A. Smith to B. Jones as a fee simple subject to a condition subsequent (that the Yankees win the World Series).

Assignment #4:

Draft a deed creating a joint tenancy with right of survivorship assuming the following facts:

The property, which is located in the City of New Rochelle, County of Westchester, State of New York, is being conveyed from A. Smith to B. Jones and C. Moore on April 17, 2002. The purchase price (consideration) is \$250,000. The legal description for the property is "Lot 2, Block 3456, Section 7 having the street address 189 Rosedale Drive, New Rochelle, New York, as per plat recorded among the land records of Westchester County in Liber 23456, Folio 7765.

Assignment #5:

Assume A, a paralegal student studying Real Estate Law, missed the class in which we discussed rectangular survey descriptions. Fully explain the rectangular survey system of land description to A. Be sure to define and explain the terms "grid," "longitudinal lines," and "latitudinal lines."

Assignment #6:

Eminent domain is the power of the government to take private property and use it for public purposes. Every state has a statute, or statutes, establishing how such power is exercised. Draft a memorandum of law discussing how New York State exercises the power of eminent domain. Cite the applicable statutory and/or case law in your memo.

Assignment #7:

In 1998, A applied for and received a license to hunt deer in upstate New York. A drove to a location near Woodstock and began stalking one particular deer through the woods. As A was about to shoot, B jumped out from behind a tree and shouted, "Get lost! This is private property, you're trespassing!" B added, "Run, Bambi, run!" A dropped his weapon and approached B. A calmly argued that his license gave him the right to hunt on B's property. Is A correct?

Assignment #8:

Discuss the licensing requirements for real estate brokers and/or agents in New York State. What are the prerequisites for each and who administers the licensing procedure? What, if any, penalties are provided for failure to have an appropriate license?

Assignment #9:

Draft the following real estate contract clauses:

1. A contingency clause giving the buyer a right to have the property inspected and to be satisfied with the report. The clause should also protect the seller from undue delay in the inspection and from capricious cancellation of the contract by the buyer.
2. A clause whereby a purchaser makes a purchase contingent on selling his or her current home.
3. A clause protecting the buyer from risk of loss during the period between the signing of the sales contract and the closing.

Assignment #10:

Prepare a warranty deed based on the following information.

Blackacre, which is located in Kings County, New York, is being conveyed from A to B for \$2,500,000. B is purchasing the property for her residence. She currently resides at 543 Rose Blvd. Scarsdale, New York 10583. The legal description for Blackacre is "Lot 22, Block 7, Blackmark Estates according to the plat thereof as recorded in Official Records Book 5405 at Page 32 of the public records of Kings County, New York." The deed is executed on March 2, 2002. The property is being transferred subject to a mortgage in favor of C, dated August 8, 1989, and recorded in Official Records Book 4928 at Page 250 of the public records of Kings County, New York. The original amount of the mortgage was \$490,000. Blackacre is located at 5403 Montague Street Brooklyn, NY 10013.

Assignment #11:

Draft a mortgage note based on the following information:

The document is to be executed on August 1, 2002. A is borrowing \$85,000 at 7.5% annual interest from XYZ Savings and Loan. The payments are to be sent to 123 Main Street, Scarsdale, New York 10583. The first payment is due on September 1, 2002. The exact amount of each payment is \$747.01. The final payment on the note is to be due and payable in full on July 1, 2023. There is no penalty for prepayment. Blackacre, the property in question, is located at 145 Rose Blvd., Scarsdale, New York 10583.

Assignment #12:

A conveys Blackacre to B by deed dated March 1. B does not record the deed until March 4. On March 2, A conveys Blackacre to C. C is aware that A previously conveyed Blackacre to B. C, nevertheless, records the deed on March 3. Who is entitled to the property

1. Under a race statute
2. Under a notice statute
3. Under a race-notice statute

**II. Students responded to the following five assignments during class time.**

Class Assignment #1:

A contracted to buy Blackacre from B. B lived in a small camper located on the property. The camper had no wheels and was sitting on several large cement blocks. In addition, water, sewer and electric lines were attached to it. Several days after closing, A discovered that the camper was missing. A called B and asked him if he had removed it. B stated that he had moved the camper to a new location. B added that the camper was his personal property and he could do anything he liked with it. If A sues B, what result?

Class Assignment #2:

Indicate which form of co-ownership is applicable in the following situations. Assume that A and B each own an equal undivided interest in a piece of real estate, Blackacre. Further assume that A and B are not married.

1. A dies. B becomes automatic owner of Blackacre.
2. The deed does not indicated the manner in which A and B are holding Blackacre.
3. A dies. A designates her son, X, as the recipient of her interest in Blackacre. As a result of the will, X then owns Blackacre together with B.
4. The deed reads, "A and B, her husband." A dies, leaving her interest to her son, X. Nevertheless, B receives a one hundred percent interest in the property.

Class Assignment #4:

A owned one hundred acres of land fronted by a highway and surrounded on three sides by a dense forest. On January 1, 1999, A sold the back fifty acres to B. B told A that she intended to build a home on the property. After the sale, B discovered that the only road leading to the highway had a gate across it. The gate was locked and had a sign on it reading, "no access, private property, signed A." B confronted and asked her to remove or unlock the gate. A refused. If B sues A, what result?

Class Assignment #5:

Draft an agreement giving A the option to buy Blackacre from B for \$250,000 by accepting in writing within two months of the date of the agreement.

Class Assignment #6:

Determine from an amortization table the monthly payment on a loan of \$250,000 at 7.25% interest due in monthly installments over thirty years.

Determine the monthly payment if the above plan was to be repaid in fifteen rather than thirty years.

**III. The two assignments described below were designed to be worked on in small groups. After working in their groups, students presented their findings to the class.**

Group Assignment #1:

Prepare a metes and bound legal description from the survey in Exhibit 14-4.

Group Assignment #2:

The legal description for Exhibit 4-17 is incorrect. Identify the errors and prepare a correct legal description.