

Name: \_\_\_\_\_

1. Priority of interest in real estate is usually determined by:
  - A. date of the document.
  - B. date of recordation.
  - C. actual knowledge.
  - D. reference to Statute of Frauds.
  
2. Which of the following statements is INCORRECT?
  - A. A deed conveys a present interest in real estate.
  - B. A will conveys no interest in real estate until after the death of the testator.
  - C. A deed conveys a future interest in real estate if so specified by the grantee.
  - D. A will conveys no interest in real estate until it is probated.
  
3. The covenant in which a grantor promises that the owner owns the property and has the right to convey title to it is the:
  - A. covenant of warranty forever.
  - B. covenant of seizin.
  - C. covenant of quiet enjoyment.
  - D. covenant of further assurances.
  
4. When performing a title examination, the attorney locates the book and page number where a particular deed is recorded by looking in an alphabetical listing. The subject property is located in a county that uses an index system of recording called:
  - A. torrens index.
  - B. tract index.
  - C. alpha index.
  - D. grantor-grantee index.
  
5. Title to real property is conveyed by deed when:
  - A. signed by the grantor.
  - B. recorded by the grantee.
  - C. delivered and accepted.
  - D. signed by the grantee.
  
6. If a grantor conveys title to a farm but retains a one acre tract in the northwest corner, the deed would contain:
  - A. an exception.
  - B. an easement.
  - C. a reservation.
  - D. None of the answers are correct.

#### Ch 4 Suex Test

7. Carmela bought an owner's policy of title insurance for her new home at a closing that took place in June, 2000. A year later a title dispute arose that concerned a claim that the grantor's signature on a deed signed in 1991, was a forgery. Does Carmela's policy cover her?
- A. Yes, because this type of problem is not an exception to a typical owner's policy.
  - B. Yes, as long as Carmela has paid her annual title insurance premiums.
  - C. No, because the title problem could not be discovered by searching recorded documents.
  - D. No, because the problem occurred long before the policy was written.
8. Murphy owns a sixty-five acre tract of land bordering the Flint River. As a result of a gradual accumulation of soil along the river bank, Murphy acquired an additional ten feet of property. Title to the additional land was acquired through the process of:
- A. dereliction.
  - B. avulsion.
  - C. accession.
  - D. erosion.
9. If a person dies intestate leaving real property as part of his/her estate, the decedent's heirs will acquire title according to:
- A. a formal will.
  - B. the laws of descent and distribution.
  - C. escheat.
  - D. an administrator.
10. A title defect might be removed by:
- A. an action to quiet title.
  - B. title insurance.
  - C. a certificate of title.
  - D. a partition action.
11. The claim of a person trying to prove the title by adverse possession might be strengthened by:
- A. tacking.
  - B. paying the property taxes.
  - C. color of title.
  - D. All of the answers are correct.

Ch 4 Suex Test

12. Scott sells his home to Zachary who immediately takes possession but does not record the deed. Three days later Scott sells to Martin who records his deed. The rightful owner is:
- A. Scott.
  - B. Zachary.
  - C. Martin.
  - D. Zachary and Martin, each having an undivided one-half interest.
13. An amendment or a modification to a will can be affected by:
- A. a codicil.
  - B. executing a new deed.
  - C. initialing and witnessing the desired changes.
  - D. making a patent.
14. Which of the following is not required for a valid and enforceable conveyance of title by deed?
- A. A written document
  - B. Habendum clause
  - C. Legal capacity of grantor
  - D. Granting clause
15. A reservation in a deed may be used to create:
- A. an easement.
  - B. quiet title action.
  - C. a reversion estate.
  - D. a 15 foot piece of land reserved by the grantor.
16. Actual notice results from which of the following?
- A. Existence of power lines
  - B. Knowledge learned by inspecting the public records
  - C. A stranger's possession under an unrecorded deed
  - D. An unrecorded deed
17. A break or gap in the chain of title results if:
- A. a previous grantee failed to record the deed.
  - B. there is an existing cloud on the title.
  - C. a title search reveals a defective legal description in a deed recorded in the public records.
  - D. the title is encumbered.

Ch 4 Suex Test

18. With respect to a decedent's property, the probate court has the responsibility of:
- A. establishing rightful heirs.
  - B. passing on the validity of a patent.
  - C. appointing an executor.
  - D. finding the testator.
19. The purpose of an acknowledgment is to:
- A. prevent recordable documents from being signed voluntarily.
  - B. assure the grantee of a valid document.
  - C. prevent forgery of recordable documents.
  - D. to keep the grantee from using a fictitious name.
20. When a Corporate Officer signs a deed it should also have a:
- A. stamp.
  - B. sticker.
  - C. sign.
  - D. seal.

**You have completed the test!**