

Name: _____

1. Several legal steps must sometimes be taken before a creditor can have an outstanding debt satisfied through the sale of a debtor's property. Which of the following may be required?
 - A. Judgment
 - B. Attachment
 - C. Writ of Execution
 - D. All of the other answers are correct.

2. Concerning liens, which of the following is INCORRECT?
 - A. Liens are always encumbrances.
 - B. Liens are either equitable or statutory.
 - C. Liens increase the value of property.
 - D. Liens are either specific or general.

3. An easement created for the purpose of giving an owner ingress and egress to his/her landlocked property is:
 - A. an easement in gross.
 - B. an easement by subscription.
 - C. an easement appurtenant.
 - D. an easement by abandonment.

4. Ned owned fifty (50) acres with frontage on Slater Mill Road. Ned sold the front thirty (30) acres to Smith but reserved an easement for the right of access to the back twenty (20) acres. Which of the following is INCORRECT?
 - A. Ned has a dominant estate.
 - B. Smith has a servient estate.
 - C. Smith's estate is subject to Ned's interest.
 - D. Ned's estate in the twenty (20) acres is subject to Smith's interest.

5. A private deed restriction can be made ineffective by which of the following?
 - A. A ground lease.
 - B. Conveyance of the property.
 - C. Voluntary cancellation by at least two of the affected property owners.
 - D. A conflict with zoning laws.

Ch 2 Suex Test

6. A provision found only in a deed, which subjects the ownership of land to certain restrictions, is called a:
- A. covenant.
 - B. condition.
 - C. prescription.
 - D. necessity.
7. A remainder estate may exist at the same time with all but one of the following:
- A. Fee simple absolute.
 - B. Life estate.
 - C. Fee simple on a condition subsequent.
 - D. Fee simple determinable.
8. Encroachments are usually discovered by a:
- A. title search.
 - B. physical inspection.
 - C. survey.
 - D. recording.
9. For ten (10) years, Mr. Jones had verbal permission to park a car in Mr. Smith's driveway. Mr. Smith sold to Mr. Johnson.
- A. Jones had a license from Smith; Johnson may continue it or discontinue it as he chooses.
 - B. Jones continuous use over ten (10) years has probably created an easement by prescription, leaving Johnson powerless to revoke Jones's right to continue parking in the driveway.
 - C. Smith's permission for Jones to use a portion of the land for a specific purpose created an easement appurtenant that runs with the land. Therefore, Johnson must allow Jones to continue parking in the driveway.
 - D. Jones use of the driveway was a personal easement in gross that ended when Smith sold to Johnson.
10. An encumbrance may be defined as all the following EXCEPT:
- A. anything that affects or limits the fee simple title.
 - B. the degree, quantity, nature, and extent of interest in real property.
 - C. rights or interests held by someone other than the fee simple owner of the property.
 - D. a claim, charge, or liability that attaches to real property.

Ch 2 Suex Test

11. Amy Carson owns two hundred (200) acres that are rich in oil reserves. Her ownership interest is fee simple absolute. She may:
- A. sell the oil rights but retain fee simple ownership in the land.
 - B. sell the land but reserve the oil rights.
 - C. sell the oil rights to one party and all remaining rights in the land to another.
 - D. do any of the other answers.
12. Which of the following would be a less-than-freehold estate?
- A. Life estate
 - B. Leasehold estate
 - C. Fee simple estate
 - D. Fee simple determinable estate
13. Jim is an electrician who was hired by ABC Construction to install all of the electrical wiring in a new home. Jim began the work on June 10 and completed the work on June 15. The closing took place on August 20. If Jim was never paid by the general contractor and wishes to file a lien, the effective date would be:
- A. June 10, against the property owner.
 - B. June 10, against the property.
 - C. June 15, against the general contractor.
 - D. August 20, against the new home owner.
14. The grantor of a life estate may retain a:
- A. reversionary estate.
 - B. less-than-freehold estate.
 - C. remainder estate.
 - D. fee simple estate.
15. Which of the following is an estate in land?
- A. Easement
 - B. Lien
 - C. Encumbrance
 - D. Lease
16. Statutory liens, which are also specific, include:
- A. judgment liens.
 - B. mechanic's liens.
 - C. mortgage liens.
 - D. estate tax liens.

Ch 2 Suex Test

17. The types of leasehold estates include:
- A. estates from period-to-period.
 - B. estates for years.
 - C. estates at sufferance.
 - D. All of the answers are correct.
18. General liens that encumber all real and personal property owned by the debtor include:
- A. mechanic's liens.
 - B. attachment liens.
 - C. mortgage liens.
 - D. judgment liens.
19. An easement may be created in any of the following ways EXCEPT:
- A. reservation.
 - B. necessity.
 - C. grant.
 - D. merger.
20. The right of enjoyment includes some rights over adjoining land including the right of:
- A. lateral support.
 - B. eminent domain.
 - C. prescription.
 - D. possession.

You have completed the test!