

**Course Information, Policies, and Schedule**  
**Property**  
**Fall 2024**

**Instructor Name and Contact Information**

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Course Dates: August 26, 2024 – December 13, 2024  
Class Times: Monday and Wednesday from 10:00 am – 11:15 am CT  
Office Hours: By appointment only

**Course Materials**

All required course materials will be provided to students through the online learning platform. However, if students wish to purchase a casebook from which course material is pulled from, they are more than welcome to do so. All optional purchases will be made by the student and will not be reimbursed by the course.

**Required Readings**

Cases provided in each weekly module on the online learning platform. These will be links to external public websites containing court opinions.

**Optional Text**

Law Schoolers Additional Resources available at <https://lawschoolers.com/category/11-spring/property/>

**Office Hours and Class Link**

Office hours and class times will be available at the times scheduled above. If you wish to meet with me outside of those times, send an email to schedule a meeting. For office hours, a link will be provided to the student once the appointment has been scheduled. For the scheduled class, the class link is available under the “General” tab of the course modules.

**Assignments**

**Forums**

Forums are designed to encourage class engagement and participation outside of lectures. However, more importantly, they are used to ask and answer questions about the material.

Consequently, forums are required for each class period. To obtain full credit, students must create a post with two parts. The first part states a principle that the student learned. The second part is to ask a question about the reading they hope to find an answer to. Afterwards, students must find another student’s original post and provide an answer to the question asked.

### **Quizzes**

A quiz will be provided at the end of nearly each week. The purpose of the quizzes is to test the understanding of course material as read and taught. These quizzes are open book and open note.

### **Midterm**

The majority of the grades will be based on the midterm and the final. The midterm will consist of a variety of multiple choice questions and an essay question (no short answer). These questions will be based on the material discussed up to the point of the midterm.

The midterm will be timed. Students will have 3 hours to complete the exam. The exam is open book and open notes; however, you may not consult a friend.

### **Final**

The final will consist of a variety of multiple choice questions and an essay question (no short answer). The final will be cumulative, meaning that it will cover all material learned throughout the semester.

The final will be timed, allowing students 3 hours to complete the exam. The exam is open book and open notes; however, you may not consult a friend.

### **Extra Credit**

Throughout the semester, the instructor will provide three hypothetical (fictional) stories. Two of these will be provided before the midterm. The last one will be provided before the final. At the end of these stories, an essay prompt will be provided. Students can write an essay answering the prompt, for extra credit.

Additionally, students can fill out a course evaluation at the end of the semester for extra credit.

Up to 2% extra credit will be provided (0.5% for each assignment). Meaning, if your final grade at the end of the course was 92% but you received full marks, your final grade at the end of the course will be 94%. However, completion of the extra credit does not guarantee the extra 2%.

### **Attendance and Participation**

Attendance and participation in class is a key part of student grades. Students are expected to come to class having already completed the readings and ready to discuss the material learned from those cases. Failure to complete the readings before class will result in a decreased ability to recall information for assignments.

Participation will be based on students' ability to answer questions when they are asked to discuss a case. Lectures will be based on the readings. Students should be prepared to know and understand the background of a case as well as a reasonable understanding of the principle in play before class. During class, a student will randomly be called on to discuss a case. Students are allowed two passes (understanding that sometimes occasions

arise that prevent students from completing readings beforehand). However, after the two passes, students will be marked as absent for failure to come to class prepared. 10 absences will result in failing the class.

If, for any reason, the instructor is unable to make it to class during the regularly scheduled time, class will be canceled, and a make-up day will be communicated to the students. Classes will not be rescheduled if missed for a federal holiday.

### **Grades and Credit**

This course is worth 3 credits. To obtain good grades, students should spend a *minimum* of 9 hours per week outside of class completing readings, participating in forums, etc. Assignments are given weight that impacts how grades are finalized. Below is a list of the assignments, their weight, and the course grading scale.

Forums	10%	93% - 100%	A
Quizzes	10%	90% - 92%	A-
Participation	10%	87% - 89%	B+
Midterm	30%	83% - 86%	B
Final	40%	80% - 82%	B-
Extra Credit	2%	77% - 79%	C+
		73% - 76%	C
Total Possible	102%	70% - 72%	C-
		67% - 69%	D+
		63% - 66%	D
		60% - 62%	D-
		Below 60%	F

All grades are considered passing except for an F.

It is important to note that this course is set up to be similar to a course in an actual law school. However, there are a few key differences and similarities to point out. Most law school courses base their entire grade on the final, that is not the case here. Most law school courses do not provide grades for forums, participation, or quizzes. Likewise, most law school courses do not offer extra credit. However, the key similarity is that our exams are formatted the same way as a law school exam. The exams will also be curved.

### **Other Course Policies**

#### **Late Work**

Late work is unprofessional and typically would not be accepted in the real world. In this class, late work is accepted on all assignments except for quizzes and exams. However, all late work receives an automatic deduction in percentage. The maximum grade all late work can receive is 50% of the original grade. For instance, if an assignment has a maximum score of 10 points but is submitted late, the best a student can achieve is 5 points.

#### **Midsemester Evaluations**

Around midterms, students, parents, or both will have the opportunity to schedule a meeting with the instructor. The purpose of this meeting will be to evaluate the student's performance within the course and establish goals for improvement.

### **Plagiarism**

Plagiarism is the act of claiming another student's work as your own. This can be done by not properly citing the source of your information. Any form of plagiarism will result in receiving no credit for the assignment. Further action may need to be taken as well.

### **Cheating**

Plagiarism or utilizing AI on a midterm or final is a form of cheating. Plagiarism and AI use will be checked for. Other forms of cheating include using material that is prohibited for the midterm or final exam. Restraining from cheating is based on a "on your honor" system. However, if any cheating is suspected, students will be questioned regarding how they obtained an answer. If it is determined that the student cheated, they will be given no credit for the assignment. Note, cheating on the final will result in an automatic fail in the course.

### **Accommodations**

This course provides accommodations for students with disabilities. Accommodations can include being provided additional time on an exam. If you have a need for accommodations, email the instructor before the course begins. Accommodations will not be provided after the course has begun.

### **Liquidated Damages**

Unless the class is cancelled at the instructor's discretion, no refund will be provided. As such, no refund will be provided for an early withdrawal. The instructor will retain the course fee as a liquidated damage.

### **Reservation of Course Changes**

This syllabus and assignments are subject to change at the instructor's discretion.

### **Course Schedule**

The following schedule outlines what we anticipate covering during each week and class period. This schedule could be subject to change and students would be well advised to follow along on outlines provided for the course on Moodle.

## **Week 1 - Aug 26-30**

### **Lecture 1: Why we Recognize Property**

#### **Readings Due**

- Syllabus
- *Pierson v. Post*
- *White v. Samsung Electronics*

#### **Assignments Due**

- Forum

### **Lecture 2: Defining Property: Bundle of Sticks**

#### **Readings Due**

- *Johnson v. M'Intosh*
- *Jacque v. Steenberg Homes, Inc.*
- *State v. Shack*
- *Sundowner, Inc. v. King*
- *Prah v. Maretti*
- *Eyerman v. Mercantile Trust Co.*

#### **Assignments Due**

- Forum
- Weekly Quiz (Friday)

## **Week 2 - Sep 2-6 Labor Day Week**

### **Lecture 1: No Class – Labor Day**

### **Lecture 2: Adverse Possession of Real Property**

#### **Readings Due**

- *Gurwit v. Kannatzer*
- *Van Valkenburgh v. Lutz*
- *Fulkerson v. Van Buren*
- *Howard v. Kunto*

#### **Assignments Due**

- Forum
- Weekly Quiz (Friday)

## **Week 3 - Sep 9-13**

### **Lecture 1: Adverse Possession of Chattels**

#### **Readings Due**

- *Reynolds v. Bagwell*
- *O'Keeffe v. Snyder*

#### **Assignments Due**

- Forum

### **Lecture 2: Capture, Finding, and Gifts**

#### **Readings Due**

- *State v. Shaw*
- *Popov v. Hayashi*
- *Armory v. Delamiri*
- *Hannah v. Peel*
- *McAvoy v. Medina*
- *Benjamin v. Lindner Aviation, Inc.*
- *Gruen v. Gruen*
- *Brind v. International Trust Co.*

**Assignments Due**

- Forum
- Quiz (Friday)

**Week 4 - Sep 16-20**

**Lecture 1: Intellectual Property**

**Readings Due**

- *Eldred v. Ashcroft*
- *Harper & Row, Publishers, Inc. v. Nation Enterprises*

**Assignments Due**

- Forum

**Lecture 2: Modern Freehold Estates**

**Readings Due**

- *Cole v. Steinlauf*
- *White v. Brown*
- *Woodrick v. Wood*
- *Mahrenholz v. County Board of School Trustees of Lawrence County*
- *Metropolitan Park District v. Unknown Heirs of Rigney*

**Assignments Due**

- Forum
- Quiz (Friday)

**Week 5 - Sep 23-27**

**Lecture 1: Future Interests**

**Readings Due**

- <https://lawschoolers.com/future-interests/>

**Assignments Due**

- Forum

**Lecture 2: Rule Against Perpetuities**

**Readings Due**

- *Joe v. Audley*

**Assignments Due**

- Forum

- Quiz (Friday)

#### **Week 6 - Sep 30-Oct 4**

##### **Lecture 1: Modern Concurrent Estates**

##### **Readings Due**

- *James v. Taylor*

##### **Assignments Due**

- Forum

##### **Lecture 2: Severance and Partition**

##### **Readings Due**

- *Tenhet v. Boswell*
- *Ark Land Co. v. Harper*

##### **Assignments Due**

- Forum
- Quiz (Friday)

#### **Week 7 - Oct 7-11**

##### **Lecture 1: Midterm Review**

##### **No Readings Due**

##### **Assignments Due**

- Midterm Forum
- Extra Credit Hypothetical I
- Extra Credit Hypothetical II

#### **MIDTERM**

#### **Week 8 - Oct 14-18**

##### **Lecture 1: No Class – Fall Break**

##### **Lecture 2: Cotenant Rights and Duties; Marital Property**

##### **Readings Due**

- *Esteves v. Esteves*
- *Sawada v. Endo*
- *Guy v. Guy*

##### **Assignments Due**

- Forum
- Quiz (Friday)

#### **Week 9 - Oct 21-25**

##### **Lecture 1: Creating the Tenancy**

##### **Readings Due**

- *Neithamer v. Brenneman Property Services, Inc.*
- *Fair Housing Council of San Fernando Valley v. Roommate.com, LLC.*
- *Effel v. Rosberg*
- *Keydata Corp. v. United States*

**Assignments Due**

- Forum

**Lecture 2: Condition of the Premises**

**Readings Due**

- *Fidelity Mutual Life Insurance Co. v. Kaminsky*
- *JMB Properties Urban Co. v. Paolucci*
- *Wade v. Jobe*

**Assignments Due**

- Forum
- Quiz (Friday)

**Week 10 - Oct 28-Nov 1**

**Lecture 1: Transferring the Tenant's Interest**

**Readings Due**

- *Ernst v. Conditt*
- *Kendall v. Ernest Pestanna Inc.*

**Assignments Due**

- Forum

**Lecture 2: Ending the Tenancy**

**Readings Due**

- *Sommer v. Kridel*
- *Elk Creek Management Co. v. Gilbert*
- *Berg v. Wiley*

**Assignments Due**

- Forum
- Quiz (Friday)

**Week 11 - Nov 4-8**

**Lecture 1: The Purchase Contract**

**Readings Due**

- *Hickey v. Green*
- *Lohmeyer v. Bower*
- *Brush Grocery Kart, Inc. v. Sure Fine Market, Inc.*
- *Strambovsky v. Ackley*
- *Strawn v. Canuso*

**Assignments Due**

- Forum



## **Lecture 2: Title Assurance**

### **Readings Due**

- *Brown v. Lober*

### **Assignments Due**

- Forum
- Quiz (Friday)

## **Week 12 - Nov 11-15**

### **Lecture 1: Financing and Closing**

#### **Readings Due**

- *Slone v. Calhoun*
- *Zaman v. Felton*
- *Rosengrant v. Rosengrant*
- *Giannini v. First Nat'l Bank of Des Plaines*

#### **Assignments Due**

- Forum

### **Lecture 2: Easements**

#### **Readings Due**

- *Millbrook Hunt, Inc. v. Smith*
- *Emanuel v. Hernandez*
- *Berge v. State of Vermont*
- *O'Dell v. Stegall*
- *Kienzle v. Myers*
- *Marcus Cable Associates, L.P. v. Krohn*
- *Preseault v. United States*

#### **Assignments Due**

- Forum
- Quiz (Friday)

## **Week 13 - Nov 18-22**

### **Lecture 1: Land Use Restrictions**

#### **Readings Due**

- *Deep Water Brewing, LLC v. Fairway Resources Ltd.*
- *Gambrell v. Nivens*
- *Nahrstedt v. Lakeside Village Condominium Association, Inc.*
- *Fountain Valley Chateau Blanc Homeowner's Association v. Department of Veterans Affairs*
- *Fink v. Miller*
- *Vernon Township Volunteer Fire Department, Inc. v. Connor*
- *Schaefer v. Eastman Community Association*

#### **Assignments Due**

- Forum

## **Lecture 2: Nuisance and Zoning**

### **Readings Due**

- *Boomer v. Atlantic Cement Co., Inc.*
- *Thomsen v. Greve*
- *Village of Euclid v. Ambler Realty Co.*
- *Detwiler v. Zoning Hearing Board of Lower Salford Township*

### **Assignments Due**

- Forum
- Quiz (Friday)

## **Week 14 - Nov 25-29 - Start of Thanksgiving Break**

### **Lecture 1: Eminent Domain**

#### **Readings Due**

- *Hawaii Housing Authority v. Midkiff*
- *Berman v. Parker*
- *Kelo v. City of New London*
- *Pennsylvania Coal Co. v. Mahon*
- *Penn Central Transportation Co. v. City of New York*
- *Loretto v. Teleprompter Manhattan CATV Corp.*
- *Lucas v. South Carolina Coastal Council*

#### **Assignments Due**

- Forum

### **Lecture 2: No Class - Thanksgiving Break**

## **Week 15 - Dec 2-6**

### **Lecture 1: No Class - Thanksgiving Break**

### **Lecture 2: Final Review**

#### **No Readings Due**

#### **Assignments Due**

- Forum
- Extra Credit Hypothetical III
- Course Evaluation (Friday)

## **Week 16 - Dec 9-13 Finals Week**

### **FINAL**