

# Property Law

Prof. Ashley/Fall 2009

## Course Syllabus

In this course you will encounter the various interests that can be created, transferred or forfeited in real and intangible property. We will use the problem method of instruction which means that, unless otherwise noted, your class preparation should include not only the reading from the 5<sup>th</sup> edition of *Rabin, Kwall & Kwall* (Foundation Press), but also the Principal Problem and notes associated with the text.

Do not fall behind! If you need help or if you want to explore a topic deeper than class time permits, I'm available both before and after class and at other times by appointment. My office is Room 827, my phone is (312) 362-8325 and my email is [pashley@depaul.edu](mailto:pashley@depaul.edu).

Your entire grade will be based on a comprehensive three-hour, open-book, in-class, multiple choice exam. You will be tested on your ability to identify relevant issues and to intelligently analyze them using the cases and materials that you will have studied in class.

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Wed. Aug. 26<sup>th</sup>: Text Assignment #1-#2: The Right to Exclude Others.

Thr. Aug. 27<sup>th</sup>: Text Assignment #3: Landlord-Tenant: The Right of Exclusive Physical Possession.

Wed. Sept 2<sup>nd</sup>: Text Assignment #4: Implied Landlord's Duties and Implied Conditions to Tenant's Obligations.

Thr.. Sept. 3<sup>rd</sup>: Text Assignment #5: Landlord's Tort Liability for Personal Injuries.

Wed. Sept. 9<sup>th</sup>: Text Assignment #6: Landlord's Motives in Selection or Removing Tenants.

Thr. Sept. 10<sup>th</sup>: Text Assignment #7: Assignments and Subleases.

Wed. Sept. 16<sup>th</sup>: Text Assignment #8: Tenant's Breach: Landlord's Remedies.

Thr. Sept. 17<sup>th</sup>: Text Assignment #12: Life Estates and Associated Future Interests: The Doctrine of Waste.

Wed. Sept. 23<sup>rd</sup>: Text Assignment # 14: Concurrent Estates: Creation.

Thr. Sept. 24<sup>th</sup>: Text Assignment #16: Joint Tenancies: Termination.

Wed. Sept. 30<sup>th</sup>: Text Assignment #18: Express Easements: Classification and Creation.

Thr. Oct. 1<sup>st</sup>: Text Assignment #19: Express Easements: Interpretation and Extent.

Wed. Oct. 7<sup>th</sup>: Text Assignment #20: Express Easements: Succession.

Thr. Oct 8<sup>th</sup>: Text Assignment #21: Express easements Termination.

Wed. Oct. 14<sup>th</sup>: Text Assignment #22: Non-Express Easements.

Thr. Oct. 15<sup>h</sup>: Text Assignment #23: Covenants Running With The Land: Creation & Validity.

Wed. Oct. 21<sup>st</sup>: Text Assignment #24-#25: Enforcement and Running of Covenants.

Thr. Oct. 22<sup>nd</sup>: Text Assignment #26: Defenses to the Enforcement of Covenants.

Wed. Oct. 28<sup>th</sup>: Text Assignment #28: Nuisance.

Thr. Oct. 29<sup>th</sup>: Text Assignment #29: Government Power to Take Property

Wed. Nov. 4<sup>th</sup>: Text Assignment #30: The Power to Regulate Land Use

Thr. Nov. 5<sup>th</sup>: Text Assignment #31: Development Exactions.

Wed. Nov. 11<sup>th</sup>: Finish “Takings.”

Thr. Nov. 12<sup>th</sup>: Text Assignment #38: Adverse Possession

Wed. Nov. 18<sup>th</sup>: Text Assignment #39: Adverse Possession

Thr. Nov. 29<sup>th</sup>: Text Assignment #55: The Theory of Protection and Trademark Law

Wed. Nov. 25<sup>th</sup>: No Class

Thr. Nov. 26<sup>th</sup>: Thanksgiving – No Class

Wed. Dec. 2<sup>nd</sup>: Text Assignment #56: Copyright Law.

Thr. Dec 3<sup>rd</sup>: Text Assignment # 57: Right of Publicity

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Final Exam: December 17, 2009 at 6:00 p.m.