



Property Characteristics and Legal Descriptions

Exam Cheat Sheet

National / General | 11 scored items | about 9% of all scored items

STUDY RULE

Classify first. Decide whether the item is real or personal property, then identify the description method or land-use control the facts point to.

What Pearson Tests

- Fixtures, trade fixtures, emblements, attachment, severance, and bills of sale
- Metes and bounds, lot and block, government survey, surveys, and acreage
- Police power, eminent domain, taxation, escheat, zoning, deed restrictions, easements, and encroachments

Exam Traps

- A trade fixture is installed for a tenant's business and is usually removable before the lease ends if removal does not cause material damage.
- A street address is useful for location but is not a legal description.
- Zoning is a public control. A deed restriction is private, and the more restrictive valid control can govern.

Essential Vocabulary

- Fixture: Personal property that became real property through attachment and intent.
- Trade fixture: A business item installed by a tenant that is generally removable within the permitted time.
- Emblements: Annual crops produced by a tenant's labor and treated as personal property.
- Metes and bounds: A legal description using directions, distances, monuments, and a point of beginning.
- Lot and block: A description that refers to a recorded subdivision plat.
- Government survey: A grid description using principal meridians, baselines, townships, ranges, and sections.
- Police power: Government authority to regulate for public health, safety, morals, and welfare.
- Variance: Permission to depart from a zoning requirement because of a qualifying hardship.

Recall Check

- Which legal description starts and ends at the point of beginning? Answer: Metes and bounds.
- What is the usual exam distinction between zoning and deed restrictions? Answer: Zoning is a public land-use control. Deed restrictions are private controls.
- How many square feet are in one acre? Answer: 43,560 square feet.

My Miss Log

Write the rule you missed, then schedule the next rep.