PROPERTY

Spring 2012

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ESTATES AND FUTURE INTERESTS PROBLEMS

Please answer the following questions regarding grants of land that contain the quoted language. You may assume that the deed or will in which the language is contained is otherwise valid. For simplicity, individuals are designed by letter. "O" represents the original owner, i.e., the grantor, and the letters A, B, C, etc. represent the grantees. Assume that all relevant individuals are living unless the problem expressly states otherwise. If a problems appears to lack sufficient information to answer the question, make alternative assumptions and answer under each assumption.

1. "To A." What is A's interest or estate?

2. "To A and her heirs."

   a. What is A's interest or estate?

   b. What is the interest or estate held by A's heirs?

3. "To A for life."

   a. What is A's interest or estate?

   b. What is O's interest or estate?

4. "To A for life." A transferred his interest to B. What is B's interest or estate?

5. "To A and his heirs, so long as cigarettes and other tobacco products are not sold upon the premises."

   a. What is A's interest or estate?

   b. What is the interest of A's heirs?

   c. What is O's interest or estate?

      d.   What other phrases could be substituted for "so long as" without changing your answers?

      e.   Assume that A sells cigars on the premises. When is A divested of the property?

6.   "To A and her heirs, but if cigarettes or other tobacco products are sold upon the premises, then I or my heirs may reenter and terminate her estate."

      a.   What is A's interest or estate?

      b.   What is the interest of A's heirs?

      c.   What is O's interest or estate?

      d.   What other phrases could be substituted for "but if" without changing your answers?

      e.   Assume that A sells cigars on the premises. When is A divested of the property?

7.   "To A and his heirs, but if cigarettes or other tobacco products are sold upon the premises, then to B and her heirs."

      a.   What is A's interest or estate?

      b.   What is the interest of A's heirs?

      c.   What is B's interest or estate?

      d.   What is O's interest or estate?

8.   "To A for life and then to B and his heirs, but if A ever sells cigarettes or other tobacco products upon the premises, then to B and his heirs."

      a.   What is A's interest or estate?

      b.   What is B's interest or estate?

9.   "To A and the heirs of her body."

      a.   What is A's interest or estate?

      b.   What is O's interest or estate?

10.   "To A and the heirs of his body by his wife Mary."

    a.   What is A's interest or estate?

    b.   What is O's interest or estate?

11.   "To A for life and then to B and her heirs."

    a.   What is A's interest or estate?

    b.   What is B's interest or estate?

    c.   What is the interest of B's heirs?

    c.   What is O's interest or estate?

12.   "To A for life, then to B for life, and then to C and his heirs."

    a.   What is A's interest or estate?

    b.   What is B's interest or estate?

    c.   What is C's interest or estate?

13.   "To A for life and then, if B has married before A dies, to B and his heirs."

    a.   What is A's interest or estate?

    b.   What is B's interest or estate assuming B is unmarried?

    c.   What is B's interest or estate assuming B is married?

    d.   What is O's interest or estate assuming B is unmarried?

    e.   What is O's interest or estate assuming B is married?

14.   "To A for life and then to A's surviving spouse."

    a.   What is A's interest or estate?

    b.   What is the interest or estate of A's surviving spouse?

    c.   What is O's interest or estate?

15. "To A for life and then to B and his heirs if B is at least twenty-five years old before A dies, but if B ever sells cigarettes or other tobacco products on the premises, then to C and her heirs."

    a.   What is A's interest or estate?

    b.   What is B's interest or estate?

    c.   What is C's interest or estate?

    d.   What is O's interest or estate?

16. "To A for life and then equally to B's children and their heirs."

    a.   What is A's interest or estate?

    b.   What is the interest of B's children assuming B has no children?

    c.   What is the interest of T, one of B's children?

    d.   After A dies, B has another child, William. What is William's interest or estate?

17. "To A for life, then to B and her heirs but if B predeceases A, then to C and his heirs."

    a.   What is A's interest or estate?

    b.   What is B's interest or estate?

    c.   What is C's interest or estate?

18. "To A for life, remainder to A's heirs."

    a.   What is A's interest or estate?

    b.   What is the interest or estate of A's heirs?

19. "To A for life, then to my heirs."

    a.   What is A's interest or estate?

    b.   What is the interest or estate of O's heirs?

    c.   What is O's interest or estate?

20.   "To A and his heirs, this deed to take effect six months after its date."

    a.   What is A's interest or estate?

    b.   What is O's interest or estate?

21.   "To A for life and then six months after her death, to B and his heirs."

    a.   What is A's interest or estate?

    b.   What is B's interest or estate?

    c.   What is O's interest or estate?

22.   "To A and her heirs as soon as the property is zoned to permit the construction of a bowling alley."

    a.   What is A's interest or estate?

    b.   What is O's interest or estate?

23.   "To A for life and then to her first child who graduates from The Ohio State University Moritz College of Law."

    a.   What is A's interest or estate?

    b.   What is the interest or estate of A's children?

    c.   What is O's interest or estate?

24.   "To A for 10 years, then to B and his heirs."

    a.   What is A's interest or estate?

    b.   What is B's interest or estate?

25.   "To A for life, then to A's children who reach 25 years old." Assume no child has yet reached age 25.

    a.   What is A's interest or estate?

    b.   What is the interest or estate of A's children?

    c.   What is O's interest or estate?