

PROPERTY PRACTICE QUESTIONS

QUESTION 6

Gerry W. Beyer

Governor Preston E. Smith Regents Professor of Law



Topic: Personal Property

Sub-topics: Accessions

Type: Essay

Difficulty: Easy

Time: 20 minutes

Andy and Lou were professional builders, building their homes on adjacent lots. One day Andy was mixing rocks and cement to make concrete and did not notice that he had used Lou's cement instead of his own. Andy had used the concrete to pave his driveway.

Andy had also mistakenly used Lou's pine logs in building the façade of his new home and incorporated them the interior of the house as well. Andy utilized particularly big logs as individual pillars inside his new house to give it a natural look (Colorado style).

Lou soon realized that his piles of log and cement were gone and is now suing Andy. What result and why?