

# PROPERTY PRACTICE QUESTIONS

ANSWER 9B

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- 1) D
- 2) C
- 3) B
- 4) Occupational Theory  
Natural Rights Theory  
Labor Theory  
Legal Theory  
Social Utility Theory
- 5) First Occupant Property  
Lost Property  
Mislaid / Misplaced Property  
Abandoned Property  
Treasure Trove
- 6) C
- 7) Abandoned Property
- 8) B
- 9) D (because all the others were the doctor's employees)
- 10) C, D

- 11) B
- 12) B (because both parties are benefiting from the transaction)
- 13) The bailor entrusts items to the bailee  
The bailee is a merchant  
The bailee is a merchant in goods of that kind  
The purchaser is a buyer in the ordinary course of business
- 14) Good Faith  
No knowledge that the sale violates the bailor's rights  
Buyer must pay value
- 15) F (because the car was converted, i.e. the true owner did not entrust; and you bought it from a neighbor who is a jeweler and not a car salesman, i.e. you did not buy it from a person dealing with the goods of the kind)
- 16) Two year period of possession (statute of limitations for conversion)  
The claimant must possess and use the property  
Claimant must hold the property exclusive and hostile to the true owner  
The claimant must assert ownership to the true owner or use the property so notoriously that the true owner is presumed to know about it
- 17) T
- 18) The change in identity approach / manufacturing approach  
The relative value approach
- 19) F
- 20) A, C, D
- 21) Yes, this would be a valid symbolic delivery because the deed of gift represents the gift
- 22) A, B
- 23) T

- 24) F
- 25) D
- 26) F (it can be any gift given after the engagement for the purpose of being used in the household. Engagement gifts are conditional on the marriage)
- 27) A, D
- 28) The modern approach is the “no fault” approach, which states that the donor gets the engagement gifts back regardless of who broke off the engagement and why
- 29) A, B, C, E (the reason for break off must be serious)
- 30) F (a person can be an heir only if the deceased was intestate)
- 31) Intestate
- 32) D
- 33) Legacy, bequest
- 34) T
- 35) B, C
- 36) D (the only way William would have had legal capacity under the age of 18 in Texas is if he was married, divorced or in the military. The fact scenario is silent regarding William’s marital and military history. Therefore, we conclude that he had none.)
- 37) F