

# PROPERTY PRACTICE QUESTIONS

## QUESTION 11B

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**Topic: Real Property**

**Sub-topics: Future Interests**

**Type: Short Answer**

**Difficulty: Difficult**

**Time: 1 hour**

**1. G: "I give to my daughter, Sandra Stewart for life my tract of land in Johnston County, North Carolina and then to Meta Stewart's children and their heirs." Meta Stewart is alive and has no children.**

- A. What does Sandra have?
- B. What does Meta's children have?
- C. What does G have?

**2. G: "To A for 10 years and then to the children of C and their heirs unless C's children ever gamble." C is living and has one child.**

- A. What does A have?
- B. What do C's children have?
- C. What does G have?
- D. What does C's child have if at the time of the grant C was not living?

**3. G: "To A for life, then to B's heirs."(B is still alive)**

- A. What does A have?
- B. What does B have?
- C. What do B's heirs have?

- D. What does G have?
- 4. G: "To A for life, then to B for 10 years."**
- A. What does A have?
  - B. What does B have?
  - C. What does G have?
- 5. G: "I give to my wife, Agnes Webb for a period of her natural life all of my real property of every kind and nature and then to my daughter Gina and her heirs if she runs for Senator before Agnes' death."**
- A. What does Agnes have?
  - B. What does Gina have?
  - C. What does G have?
- 6. G: "To A for life, then to B's children for life but if B's children stop visiting their grandmother, then to C and her heirs." B has one child.**
- A. What does A have?
  - B. What do B's children have?
  - C. What does C have?
  - D. What does G have?
- 7. G: "To A for life, then to A's heirs if A opens his own insurance business"**
- A. What does A have if rule in Shelly's case applies?
  - B. What does A have if rule in Shelly's case does not apply?
  - C. What do A's heirs have if rule in Shelly's case applies?
  - D. What do A's heirs have if rule in Shelly's case does not apply?
  - E. What does G have if rule in Shelly's case applies?
  - F. What does G have if rule in Shelly's case does not apply?
- 8. G: "To A for life, remainder to B and her heirs if B completes her Master's degree." At the time of A's death, B has not completed her master's degree.**
- A. What does A have?
  - B. What would B have at common law?
  - C. What does B have under modern view?
  - D. Do we know what B would have in Texas?

- E. What does G have at common law?
- F. What does G have under modern law?

**9. “I grant blackacre to A and his heirs for so long as A continues to farm, then to my heirs.”**

- A. What does A have?
- B. What do A’s heirs have?
- C. What do G’s heirs have if the doctrine of worthier title applies?
- D. What do G’s heirs have if the doctrine of worthier title does not apply?
- E. What does G have if the doctrine of worthier title applies?
- F. What does G have if the doctrine of worthier title does not apply?

**10. G: “To A for life, but if B becomes pregnant, then to B and her heirs.”**

- A. What does A have?
- B. What does B have?
- C. What does G have?

**11. G: “To A for life of B, and one year after B’s death to C and her heirs.”**

- A. What does A have?
- B. What does B have?
- C. What does C have?
- D. What does G have?

**12. G: “To A for life, and upon A’s death to A’s children who have attained the age of 27.”**

- A. What does A have?
- B. What do A’s children have?
- C. Is RAP analysis applicable? Why and to which one(s)?
- D. Is RAP violated?

**13. G: “I grant this land to my daughter Shelly for her life, then to Shelly’s children for their lives, and when Shelly’s last child dies to my grandchildren and their heirs.” Shelly has five children.**

- A. What does Shelly have?
- B. What do Shelly’s children have?

- C. What do Grantor's grandchildren have?
- D. Is any of these interests subject to RAP analysis? Which one(s) and why?
- E. Is RAP violated? In which one(s)?

**14. G: "To A for 10 years, then to B and her heirs but if B predeceases A, then to C and his heirs."**

- A. What does A have?
- B. What does B have?
- C. What does C have?
- D. What does G have?

**15. G: "To A for life then to B and his heirs if B graduates from law school."  
(Use common law approach)**

- A. What does A have?
- B. What does B have?
- C. What does G have?
- D. What would the outcome be under modern law if at the time A's life estate ended B had not yet graduated from law school?