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11

## AN INTRODUCTION TO REAL ESTATE

### Focus of this Chapter

This chapter introduces the basic concepts of real and personal property, introduces the rich and complex world of real property, and then explains the various categories of real property.

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## 2

**ESTATES IN REAL PROPERTY****Focus of this Chapter**

This chapter provides an in-depth explanation of the rights, duties, and responsibilities that derive from estates, as well as the implications of various types of estates on the rights and abilities of the owners.

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# 3

## PROPERTY DESCRIPTIONS AND DETERMINING PROPERTY BOUNDARIES

### Focus of this Chapter

This chapter explores the many different methods used across the nation to describe property. Because metes and bounds descriptions are an essential part of property descriptions in nearly half the country, this topic is explored in depth and students are shown how to draw out a description based on the wording of the description. The chapter also explores other property description techniques and provides a basic description of surveying.

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## 4

**TRANSFERRING TITLE TO REAL ESTATE****Focus of this Chapter**

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### Focus of this Chapter

The chapter begins with a description of fixtures, explores the relationship of fixtures to real estate, and then describes how the law of trade fixtures differs significantly from the general rule of fixtures. From there, the chapter explores the role of liens, easements, and other rights associated with real property.

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## 6

**REAL ESTATE CONTRACTS****Focus of this Chapter**

The law of contracts and real estate has a long and rich history. The chapter first introduces the general law of contracts and then explains how general contract principles apply to specific real estate transactions.

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## 7

**LANDLORD AND TENANT LAW****Focus of this Chapter**

The law of leasehold estates is explored in-depth in this chapter. The chapter examines the rights and duties of landlords and tenants, and addresses issues such as eviction and the various types of landlord-tenant relationships.

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## REAL ESTATE DEEDS

### Focus of this Chapter

This chapter addresses the construction of deeds, beginning with a general description of the role of deeds in real estate transactions, and then describing the specifics of various types of deeds, from general warranty deeds to quitclaim deeds.

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## 9

## MORTGAGES AND FINANCING THE PURCHASE OF REAL ESTATE

### Focus of this Chapter

Mortgages are the lifeblood of real estate sales. This chapter examines mortgages (deeds of trust) in great detail, concentrating not only on the basic legal requirements of a mortgage, but also on the clauses commonly found in mortgages.

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## PUBLIC AND PRIVATE RESTRICTIONS ON THE USE OF LAND

### Focus of this Chapter

This chapter explores both public and private restrictions on the use of real estate by landowners. Public restrictions, such as zoning, are explained. Private restrictions, such as restrictive covenants, are examined in detail. Special emphasis is placed on the role of the paralegal in researching, preparing, and locating various public and private land use restrictions.

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## REAL ESTATE PROFESSIONS

### Focus of this Chapter

Various real estate professions are profiled in this chapter, from real estate brokers to law firms that specialize in real estate issues. The chapter also addresses the day-to-day activities of real estate paralegals.

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12

TITLE INSURANCE AND TITLE EXAMINATIONS

**Focus of this Chapter**

Title examinations are offered as a separate chapter because states have radically different approaches to this issue. Regional differences in the method (and even the role) of title examinations in real property transactions are examined closely. This chapter emphasizes the role of the legal team in general and the paralegal in particular in carrying out the various steps of a real estate title examination. The chapter also provides basis forms for title examinations.

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## 13

**THE CLOSING****Focus of this Chapter**

This chapter provides a general introduction to closing/settlement procedures nationwide and then examines the specifics of this process in various locales across the country to provide specific examples of how the process is actually carried out. The paralegal's role in the closing is examined in detail.

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### Focus of this Chapter

This chapter focuses not only on the important issue of how real estate taxes are assessed and collected, but also on the extensive information available through various tax records.

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