

Note : No Test bank for chapter 1

Chapter 2—Nature and Description of Real Estate

MULTIPLE CHOICE

1. Which of the following are considered to be real estate?
 - a. Trade Fixtures
 - b. Emblements
 - c. Mulberry bush
 - d. Garden hose

ANS: C

Any perennial shrubs are considered to be real property.

PTS: 1 DIF: M REF: 12 | 13

2. Which of the following is real property?
 - a. Farm equipment
 - b. Cotton ready to be harvested
 - c. Swing set from Wal-Mart set in concrete
 - d. Lawn mower

ANS: C

Swing set, set in concrete is real property.

PTS: 1 DIF: M REF: 12 | 13

3. Regarding real property,
 - a. mineral rights must run with the land.
 - b. air rights can be granted by deed.
 - c. annual crops are considered real property because they are attached to the land.
 - d. man made buildings are not part of the real property.

ANS: B

Air rights can be included with the conveyance of land or conveyed separately by deed.

PTS: 1 DIF: M REF: 12 | 13

4. Improvements made to real property become part of the real property because of
 - a. reliction.
 - b. attachment.
 - c. devise.
 - d. descent

ANS: B

The manner of attachment can cause an improvement to become part of the real property.

PTS: 1 DIF: M REF: 13 | 15

5. The best determinant of whether an item is real or personal property is
 - a. the intent of the parties.
 - b. its size and weight.

- c. its value.
- d. the appraiser's opinion.

ANS: A

This is one of the tests of a fixture (real property).

PTS: 1 DIF: M REF: 13 | 14

6. Which of the following is personal property?
- a. Utility easement
 - b. Fixture
 - c. Ceiling fan
 - d. Electric fan plugged in

ANS: D

This is considered personal property.

PTS: 1 DIF: M REF: 14 | 14

7. To transfer ownership of personal property, which document should be used?
- a. Bill of sale
 - b. Warranty deed
 - c. Quitclaim deed
 - d. Security agreement

ANS: A

A bill of sale should be used to convey any personal property.

PTS: 1 DIF: M REF: 12 | 14

8. Tests of a fixture include all of the following EXCEPT
- a. agreement of the parties.
 - b. adaptability of the object.
 - c. value of the item.
 - d. manner of attachment.

ANS: C

This is not a test of a fixture.

PTS: 1 DIF: M REF: 13 | 14

9. The most important factor in determining whether an item has become a fixture is the
- a. method of attachment.
 - b. agreement of the parties.
 - c. adaptability of the item.
 - d. original cost of the item.

ANS: B

The book case can be removed with prior permission of the landlord.

PTS: 1 DIF: M REF: 14 | 15

10. A cultivated crop, not yet harvested, should be carefully noted on a listing agreement because
- a. appurtenances will not pass with the land.
 - b. the right to harvest belongs to the owner of the land.

- c. emblems belong to the person who plants and cultivates them.
- d. growing things are affixed to the soil.

ANS: C

Crops or emblems belong to the person who plants and cultivates them.

PTS: 1 DIF: M REF: 14 | 15

11. A farm, consisting of 160 acres of cultivated land, is sold. Which of the following requires an expressed agreement, in addition to the deed, in order to transfer ownership?
- a. Cultivated crops
 - b. Subsurface rights
 - c. Farm house
 - d. Detached garage

ANS: A

Crops are personal property and do not go with the land.

PTS: 1 DIF: M REF: 14 | 15

12. Easements, rights of way, and condominium parking stalls are examples of
- a. emblems.
 - b. trade fixtures.
 - c. riparian rights.
 - d. appurtenances.

ANS: D

These are considered examples of appurtenances.

PTS: 1 DIF: M REF: 14 | 16

13. When there are two valid property descriptions of a piece of real property,
- a. metes and bounds descriptions take precedence.
 - b. government survey descriptions take precedence.
 - c. older descriptions take precedence over subsequent descriptions.
 - d. any description that adequately describes and distinguishes the property will apply.

ANS: D

Any description that adequately describes and distinguishes the property will apply.

PTS: 1 DIF: H REF: 15 | 17

14. The most accurate way to uniquely locate and bound a parcel of real property is to use
- a. an aerial photograph.
 - b. a topographical map.
 - c. a full legal description.
 - d. latitude and longitude.

ANS: C

The best way is to use a full legal description.

PTS: 1 DIF: M REF: 15 | 18

15. All of the following are acceptable means of describing real property EXCEPT
- a. metes and bounds.

- b. lot and block.
- c. allodial method.
- d. rectangular survey method.

ANS: C

Allodial method is not a means of describing real property.

PTS: 1 DIF: M REF: 15 | 18

16. When would a metes and bounds survey be preferred?
- a. To describe irregularly shaped parcels
 - b. For mail delivery
 - c. To describe property in a subdivision
 - d. When a brief description is needed

ANS: A

A metes and bounds description would be best for this purpose.

PTS: 1 DIF: M REF: 15 | 18

17. A metes and bounds survey begins at the point of beginning and ends at the
- a. last benchmark.
 - b. point of beginning.
 - c. first monument used.
 - d. datum.

ANS: B

A metes and bounds survey always comes back to the point of beginning.

PTS: 1 DIF: M REF: 15 | 18

18. The primary purpose of benchmarks is to indicate
- a. points of beginning.
 - b. corners.
 - c. altitude and elevation.
 - d. end points.

ANS: C

The primary purpose of benchmarks is to indicate altitude and elevation.

PTS: 1 DIF: H REF: 17 | 21

19. Correction lines, which occur at intervals in the rectangular survey system, are necessary
- a. to correct the mistakes made by surveyors.
 - b. to allow for magnetic fields which interfere with compasses.
 - c. because of the curvature of the earth.
 - d. because of the gravitational pull of the moon.

ANS: C

Correction lines are necessary because of the curvature of the earth.

PTS: 1 DIF: M REF: 17 | 21

20. Six hundred and forty acres is usually the size of a
- a. township.

- b. check.
- c. range.
- d. section.

ANS: D

Six hundred and forty acres is usually the size of a section.

PTS: 1 DIF: M REF: 20 | 23

21. Within any given township, section 18 can be found
- a. east of section 13.
 - b. west of section 17.
 - c. north of section 3.
 - d. south of section 27.

ANS: B

Section 18 is found west of section 17.

PTS: 1 DIF: M REF: 21 | 23

22. Of the following described properties, which contains the smallest amount of land?
- a. 1/2 of a section
 - b. One mile by one mile
 - c. 1/4 of 1/4 of a section
 - d. 320 acres

ANS: C

$1/2 \times 640 = 320\text{ac}$; $5280 \times 5280 = 27,878,400\text{sq ft} / 43,560 = 640\text{ac}$; $1/4 \times 1/4 \times 640 = 40\text{ac}$ - this is the smallest; 320ac

PTS: 1 DIF: H REF: 22 | 25

23. A parcel of land contains 1,020 square yards. The front foot measurement is 80'. How deep is the parcel.
- a. 114.75'
 - b. 38.25'
 - c. 127.5'
 - d. 816'

ANS: A

1,020 divided by $(80/3) = 38.25 \times 3 = 114.75'$.

PTS: 1 DIF: H REF: 20 | 24

24. Which of the following contains more than one acre of land?
- a. $208' \times 208'$
 - b. $303' \times 144'$
 - c. $207' \times 209'$
 - d. $435' \times 100'$

ANS: B

$208 \times 208 = 43,264$ which is $< 43,560$; $303 \times 144 = 43,632$ which is $> 43,560$; $207 \times 209 = 43,263$ which is $< 43,560$; $435 \times 100 = 43,500$ which is $< 43,560$.

PTS: 1 DIF: H REF: 20 | 24

25. A parcel of land measuring $1,320' \times 660'$ would contain how much land?
- a. 10 acres
 - b. 20 acres
 - c. 30 acres
 - d. 40 acres

ANS: B

$1,320 \times 660 = 871,200$ sq ft divided by $43,560 = 20$.

PTS: 1

DIF: M

REF: 21 | 23

26. If Mr. Howard paid \$2,500 per acre for the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of section 10, how much did he pay?
- a. \$50,000
 - b. \$100,000
 - c. \$200,000
 - d. \$680,000

ANS: A

$\frac{1}{2}$ of $\frac{1}{4}$ of $\frac{1}{4}$ of 640 acres = 20 acres. $2,500 \times 20 = 50,000$.

PTS: 1

DIF: M

REF: 21 | 24

27. How many acres does a parcel of land $660'$ by $660'$ contain?
- a. One-eighth acre
 - b. One acre
 - c. Ten acres
 - d. One hundred acres

ANS: C

$660 \times 660 = 435,600$ sq ft. $435,600$ divided by $43,560 = 10$ acres.

PTS: 1

DIF: M

REF: 21 | 24

28. The number of feet of wire required to enclose $\frac{1}{4}$ of $\frac{1}{4}$ of a section of land with two strands of wire is
- a. 5,280 feet.
 - b. 10,560 feet.
 - c. 21,120 feet.
 - d. 34,848 feet.

ANS: B

$\frac{1}{4} \times \frac{1}{4} \times 640 = 40$ acres $\times 43,560 = 1,742,400$ sq ft. The square root of $1,742,400 = 1,320$ ft. so the periphery of the track is 5,280. Two strands would require twice that amount of wire, or 10,560 feet.

PTS: 1

DIF: H

REF: 22 | 24

29. Which of the following will always involve a plat?
- a. Lot and Block system
 - b. U.S. Geodetic survey system
 - c. U.S. rectangular survey
 - d. Tax assessor's parcel numbers

ANS: A

The lot and block system will always involve a plat.

PTS: 1 DIF: H REF: 22 | 25

30. Most subdivision plats make use of which type of land description?
- U.S. government survey
 - Rectangular survey
 - Assessor's parcel number
 - Lot and block

ANS: D

Most subdivision plats make use of lot and block system.

PTS: 1 DIF: M REF: 22 | 25

TRUE/FALSE

1. Any thing affixed to land with the intent of being permanent is considered real property.

ANS: T

As long as it meets the tests of a fixture anything affixed to land with the intent of being permanent is considered real property.

PTS: 1 DIF: E REF: 12 | 13

2. Air rights may be included in the definition of real property.

ANS: T

Air rights are part of the bundle of rights that go with the real estate.

PTS: 1 DIF: E REF: 12 | 13

3. Air rights are defined as rights of the property owner extending from the center of the earth to a reasonable height above the land.

ANS: F

There is no height limit to air rights.

PTS: 1 DIF: E REF: 12 | 13

4. Examples of improvements that have become part of the real property would include fences, roads, and pipelines.

ANS: T

These are all examples of improvements that have become part of the real property.

PTS: 1 DIF: E REF: 12 | 14

5. Land ownership includes improvements, air rights and subsurface rights but not personal property.

ANS: T

Personal property is not considered to be included as part of land ownership.

PTS: 1 DIF: E REF: 12 | 14

6. Mineral rights are considered personal property.

ANS: F

Mineral rights are considered to be part of the real property.

PTS: 1 DIF: E REF: 12 | 14

7. A TV antenna attached to the chimney would be considered the property of the sellers and could be removed by them.

ANS: F

A TV antenna attached to the chimney would be considered to be real property and would therefore stay with the property.

PTS: 1 DIF: E REF: 13 | 14

8. Prior to offering his property for sale, Sal was within his rights in removing the sink from the master bath.

ANS: T

The owner can remove anything they wish from their real estate.

PTS: 1 DIF: E REF: 13 | 14

9. A lessee of a book store may legally remove his bookshelves at any time before the lease expires.

ANS: T

Trade fixtures remain the property of the tenant.

PTS: 1 DIF: M REF: 14 | 15

10. A farmer owns a 60 acre farm planted in potatoes. The potatoes are always personal property.

ANS: T

Crops are always personal property.

PTS: 1 DIF: M REF: 14 | 15

11. An easement for the adjacent property owner is appurtenant to real estate.

ANS: T

An easement for the adjacent property owner is said to “run with the land”.

PTS: 1 DIF: M REF: 14 | 15

12. The right to use water from a stream that is on or adjacent to your land is referred to as accretion.

ANS: F

These rights are called riparian rights.

PTS: 1 DIF: M REF: 14 | 16

13. The littoral system is a valid way of describing real estate.

ANS: F

This is not a valid way of describing real estate.

PTS: 1 DIF: M REF: 15 | 18

14. “That land bounded by Elk Lake and the western boundary of Ware County running from the lake to the southern boundary of said county” might be considered too vague, imprecise and subject to change to be a valid legal description.

ANS: T

This is not precise or exact enough.

PTS: 1 DIF: M REF: 15 | 18

15. A point of beginning must be included in a metes and bounds land description.

ANS: T

This is necessary in a metes and bounds land description.

PTS: 1 DIF: M REF: 16 | 18

16. In the term “metes and bounds”, metes can best be described as an indication of meters.

ANS: F

Metes means distance.

PTS: 1 DIF: M REF: 15 | 18

17. Monuments and points of beginning are used with the metes and bounds type of land description.

ANS: T

The Metes and bounds system uses monuments and points of beginning.

PTS: 1 DIF: M REF: 15 | 18

18. In the rectangular survey system of land description, principal meridians run in a north-south direction.

ANS: T

North-south lines are called principal meridians.

PTS: 1 DIF: H REF: 18 | 21

19. Comparing sections and townships, a township is 6 square miles.

ANS: F

A section is one square mile.

PTS: 1 DIF: H REF: 20 | 23

20. One acre contains most nearly 42,000 square feet.

ANS: F

One acre contains 43,560 square feet.

PTS: 1

DIF: M

REF: 20 | 23

COMPLETION

1. Buildings or other improvements do not need to be mentioned in the deed because they are considered to be part of the _____.

ANS: land

PTS: 1

DIF: M

REF: 12 | 13

2. Mineral rights can be conveyed separately but riparian rights cannot be conveyed _____.

ANS: separately

PTS: 1

DIF: H

REF: 12 | 13

3. Timber on land becomes _____ property.

ANS: personal

PTS: 1

DIF: H

REF: 14 | 15

4. If a listing agreement mentions a refrigerator as part of real estate offering it should still be mentioned in the _____.

ANS: sales contract

PTS: 1

DIF: H

REF: 14 | 15

5. A fixture may be removed by a _____ with the landlord's permission.

ANS: tenant

PTS: 1

DIF: H

REF: 12 | 14

6. A residential tenant wants to build a bookcase next to the fireplace in his leased townhouse. The book case can be removed with prior permission of the _____.

ANS: landlord

PTS: 1

DIF: H

REF: 12 | 14

7. Any damage caused by the removal of the fixtures is the responsibility of the _____.

ANS: lessee

PTS: 1

DIF: M

REF: 12 | 14

8. A condominium parking stall would be considered to “run with the land” and would be considered to be an _____.

ANS: appurtenance

PTS: 1 DIF: H REF: 14 | 16

9. One uniform policy across the United States stipulates that water beneath the land surface is called _____.

ANS: ground water

PTS: 1 DIF: H REF: 14 | 16

10. A proper legal description of land must uniquely _____ and bound the parcel.

ANS: locate

PTS: 1 DIF: H REF: 15 | 18

MATCHING

Choose the one most appropriate answer for each.

- | | |
|----------------------|-------------------------------|
| a. acre | k. informal references |
| b. adaptation | l. nonhomogeneity |
| c. agreement | m. personal property |
| d. appurtenance | n. quadrangle |
| e. base line | o. real estate |
| f. bench marks | p. recorded plat |
| g. datum | q. scarcity |
| h. fixity | r. situs |
| i. government survey | s. vertical land descriptions |
| j. improvements | t. water table |
-
- any form of land development, such as buildings, roads, fences, and pipelines
 - fixed mark of known location and elevation
 - type of measurement necessary when air rights need to be described
 - a subdivision map filed in the county recorder's office
 - the shortage of land in an area where there is a great demand for land
 - a point, line, or surface from which a vertical height or depth is measured
 - manner in which a specific item is custom made to adapt to a certain piece of real estate
 - a right or interest in things of a temporary or movable nature
 - a parcel of land containing 43,560 square feet
 - upper limit of percolating water below the earth's surface
 - the fact that no two parcels of land are exactly alike
 - location preference
 - the fact that land and buildings require long periods of time to pay for themselves
 - land and improvements in a physical sense as well as the rights to own and use them
 - right or privilege or improvement that belongs to and passes with the land
 - easily understood but not precise method of land description
 - possibly the most significant test of the existence of a fixture
 - latitude line that intercepts a principal meridian

19. also known as rectangular survey or U.S. public land survey
20. 24-by-24 mile area created by the guide meridians and correction lines

1. ANS: J	PTS: 1	DIF: M	REF: 12 13
2. ANS: F	PTS: 1	DIF: M	REF: 17 21
3. ANS: S	PTS: 1	DIF: M	REF: 25 28
4. ANS: P	PTS: 1	DIF: M	REF: 23 25
5. ANS: Q	PTS: 1	DIF: M	REF: 29
6. ANS: G	PTS: 1	DIF: M	REF: 26 28
7. ANS: B	PTS: 1	DIF: M	REF: 14 14
8. ANS: M	PTS: 1	DIF: M	REF: 12 13
9. ANS: A	PTS: 1	DIF: M	REF: 20 24
10. ANS: T	PTS: 1	DIF: M	REF: 15 16
11. ANS: L	PTS: 1	DIF: M	REF: 28
12. ANS: R	PTS: 1	DIF: M	REF: 30
13. ANS: H	PTS: 1	DIF: M	REF: 29
14. ANS: O	PTS: 1	DIF: M	REF: 12 13
15. ANS: D	PTS: 1	DIF: M	REF: 14 17
16. ANS: K	PTS: 1	DIF: M	REF: 15 18
17. ANS: C	PTS: 1	DIF: M	REF: 14 16
18. ANS: E	PTS: 1	DIF: M	REF: 18 21
19. ANS: I	PTS: 1	DIF: M	REF: 18 21
20. ANS: N	PTS: 1	DIF: M	REF: 18 22