



Course Information

Class Schedule: Mondays and Wednesdays 6:00 p.m. to 7:15 p.m. Room: 253

Office Hours: Wednesdays before and after class (in person), Fridays 6:00 p.m. to 8:00 p.m. via Skype (audio or video); and by appointment. My office is in room 335A. A sign-up sheet is posted on TWEN to make appointments (under "Sign-up Sheets").

For Skype audio meetings please call the following phone number that I designated solely for students: 321-282-3087.

For Skype video meetings, please connect with the following username: LunaViento

Note: There will be 2 informal question and answer sessions on a Saturday during the semester. Those sessions will be announced with plenty of time.

Contact Information: **The best way to contact me is via email. If you cannot reach me, please contact Ms. Collins, my Program Assistant.**

Email: nise.nekheba@famu.edu

Office: 335A

Program Assistant: Ms. Evett Collins (Tel.: 407-254-3264)

Email: evett.collins@famu.edu

Course Website on TWEN: www.lawschool.westlaw.com

Periodically, announcements, assignments, practice essays, exercises and supplementary materials will be posted on TWEN. You are responsible for checking the TWEN site on a daily basis.

Course Description

This course introduces property law and is the first part of a yearlong course. Students will learn and examine property law's jurisprudential roots, traditional laws and the modern trends in major areas of property law. As property law is tested on the bar exam, this course will include past bar exam questions that tested the rudiments of property law.

Course Objectives

By the end of the semester, students will be able to analyze specific facts and apply relevant laws to the following areas of property law: licenses; conflicting claims regarding personal property (finders and the law of capture); trespass; public access; possession; adverse possession; private nuisance; zoning; easements; and covenants.

Upon completing Property I, students will be able to address and answer complex issues and important questions such as:

- What is real property?
- When can a property owner exclude someone from her property?
- When does a property owner not have the right to exclude someone from his property?
- How can a squatter legally own the property they are possessing?
- What is actual possession?
- What is civil trespass?
- What rights does the finder of personal property have?
- What is an easement?
- What competing claims might exist regarding an easement?
- What is a covenant, and how might it impact the use of a property?
- What is required to successfully prove the existence of an implied easement?
- Can an easement terminate? How?
- What is a public accommodation?
- What are the property rights of a new homeowner whose home is by a lake?
- What is required for a successful private nuisance claim?

Skills Objectives

Upon completing this yearlong course, students will acquire the following practical skills for property law practice:

- Ability to analyze a property law matter.
- Ability to interview a client on a property law matter.
- Ability to prioritize issues in a property law matter.
- Ability to determine whether to seek temporary relief.
- Ability to collaborate with peers on case strategy.

·Ability to prepare and present a professional demonstration on a property law matter.

Required Texts

Title: "Property Law: Rules Policies and Practices," Sixth Edition

Author: Joseph William Singer

Publisher: Aspen (2014)

ISBN13: 978145844174

Title: "Glannon Guide To Property: Learning Through Multiple-Choice Questions and Analysis,"
Second Edition

Author: James Charles Smith

Publisher: Aspen (2011)

ISBN13: 9780735507517

Class Preparation and Attendance Requirement

Attendance, preparation, and professionalism are mandatory. **Students are expected to attend each class and arrive (and sit down with books and laptops already on) before 6:00 p.m., prepared to discuss all assigned materials**, which will be announced and posted at the end of the previous week. This includes cases, articles, exercises and problems within the assigned pages. If you are tardy you will not be permitted into the classroom, and will be marked absent.

You are limited to four (4) unexcused absences. Any absences after that must be excused. If you attend fewer than 80% of the classes (6 classes), no matter the reason, you will be dropped automatically from the course and will be administratively assigned a grade of "F" for the course. Please see the Student Handbook for more detailed information.

Please note: Students' friends or relatives are only permitted to visit the class once, and only if the student formally asks and informs the professor via email at least two business days (48 hours) prior to that visit.

Class Participation

Because the success of this course depends on the quality of class discussion, you are expected to participate in general class discussions. I will call on students each class period. To facilitate discussion, I will post the range of surnames that I will call on from week two until the end of the semester. If you are called on and you are not prepared for that class, you will be marked absent.

Once during the semester, each student will be required to post and briefly present the Florida statutory section and recent key cases relevant to that week's topic. To facilitate this,

I will assign each week to several students, as soon as the class roster is finalized. I will post students' names and the assigned topics on TWEN. This aspect of the course will not be graded. Instead, posting the relevant information (on TWEN) and presenting on it will serve as a completion grade. Any student that fails to post and present on their assigned topic will be subject to a negative final grade adjustment (I.e., if your final grade is a "B," and you did not post and present on your assigned topic, your final grade will be adjusted and become a "B-").

Course Grade and Policy

There will be a three-hour, closed book final examination. Your final grade for this course will be based on: **a final examination worth one hundred (100) percent of your final grade.** There will be a practice midterm exam to be administered in October. This course is subject to the first year grading curve.

Students' participation might positively or negatively impact the final grade. For example, a student that is consistently prepared and consistently participates in class in a manner that distinguishes herself/himself from others might receive a slight increase to their final grade (I.e., a B- might be increased to a B). However, the inverse of this can also occur. That is, a student that is consistently unprepared and rarely participates might receive a slight decrease in their grade (I.e., a B might be decreased to a B-). This potential grade adjustment is applied separately, in a manner that maintains the anonymity of all final exam numbers.

Policy Statement on Non-Discrimination

It is the Florida Agricultural and Mechanical University's policy to assure that each member of the University community be permitted to work or attend classes in an environment free from any form of discrimination including race, religion, color, age, disability, sex, marital status, national origin, veteran status and orientation.

Academic Honor Code

Each student is expected to adhere to the University's and the College of Law's (COL) honor code. The University's Academic Honor Policy is located in the FANG Student Handbook. The COL's honor code is located in the COL's Student Handbook.

ADA Compliance

Students requesting special academic accommodations due to a disability are required to register with the Center for Disability Access and Resources. Refer to your FAMU College of Law Student Handbook for procedures on how to register. Anyone seeking special academic accommodations is encouraged to register as soon as possible and obtain written confirmation of

your registration. You will need a confirmation to present to College of Law administrators and for your personal records.

Professionalism and Mutual Respect

Tardiness will not be tolerated, as it is distracting, unprofessional and rude to your classmates and your professor. If you walk in after I start class, you are tardy. If you arrive late, you will be deemed **absent** and will be required to leave the classroom. In an effort to engender civility and an open academic arena that allows for diverse opinions, mutual respect in class is mandatory. Accordingly, please be mindful that there are people who may not share your world view, but deserve their say and your respect.

Please note: I consider teaching professionalism, particularly in the legal field, as part of my pedagogical ethic. Accordingly, I expect all emails to me to parallel a business email, including a professional salutation, your name, and an appropriate closing.

Electronic Devices

Upon entering the classroom, please make sure your phones are **turned off and put away**. Unless you receive special permission, vibrate or other “silent” modes for telephones are **not** permissible. Laptops, netbooks, and tablets are **only** allowed for taking notes. **Any person caught or suspected of using their electronic device for any other purpose (I.e., any online use) will be marked absent for the day and will no be longer allowed to bring a laptop computer to the classroom for the rest of the semester.**

Emergencies

In the event you are unable to take an exam due to an emergency, please contact the Dean of Students’ Office to take make arrangements in advance and to schedule a make-up examination. Do not contact the professor.

Practice Essay Submissions & Emailed Questions

I welcome students' practice essays and emailed questions throughout the semester until the last day of class.

Reading Assignments

Note: Assignments from Glannon's text will be added and posted on TWEN when relevant.

Week 1:	Introduction & Trespass	Singer pp. 1-39
Week 2:	Trespass & Public Access	pp. 40-82
Week 3:	Native Americans' Property Rights & Competing Justifications	pp. 83-104
Week 4:	Possession & Relativity of Title	pp. 130-161
Week 5:	Adverse Possession	pp. 281-317
Week 6:	Other Informal Ways To Transfer Property	pp. 318-332
Week 7:	Nuisance	pp. 333-387
Week 8:	Nuisance	pp. 388-419
Week 9:	Zoning	pp. 421-461
Week 10:	Servitudes: Easements	pp. 511-544
Week 11:	Servitudes:Easements & Introduction To Covenants	pp. 544-560
Week 12:	Covenants	pp. 560-598
Week 13:	Covenants	pp. 598-654
Week 14:	Practice Exam	
Week 15:	Final Exam Review	