Real Property Ownership Questions

A Test

3. Zoning authority comes about through

a. police powers of the municipalities.

b. the Alabama Constitution.

c. delegation of state powers to the cities.

d. the social contract between citizens and their government.

5. The owner of a house wants to fence the yard for her dog. When the fence is erected, the fencing materials are converted to real estate by

a. annexation.

b. severance.

c. immobility.

d. indestructibility.

6. An Alabama surgeon and his wife wish to purchase a home and hold title in a manner that protects the marital home in case the husband is sued for malpractice. Which form of ownership will allow them to do this?

a. Joint tenants with right of survivorship

b. Tenants in common

c. Tenants by the entireties

d. Tenants in common with right of survivorship

10. Rights or privileges that are connected with real property are

a. improvements.

b. appurtenances.

c. not conveyed with the real estate.

d. restricted to air and water rights.

15. A buyer took delivery of the deed to his new house but did not record the deed or take possession of the property. Under these circumstances, the

a. buyer's interest is not fully protected against third parties.

b. transfer of the property from the seller is ineffective.

c. deed is invalid after 90 days.

d. deed is invalid after six months.

19. What document protects against hidden risks such as forgeries and loss due to defects in the title, subject to specific exceptions?

a. Abstract of title

b. Title insurance policy

c. Certificate of title

d. Chain of title

21. A person owned a parcel of land. Subsequent to the owner's death, the probate court determined the distribution of the land in accordance with the state's statutes. This process is called

a. escheat.

b. condemnation.

c. adverse possession.

d. probate.

33. A developer grants a local power company the right to install necessary transmission lines. This right is an example of

a. a license.

b. an easement by prescription.

c. an easement in gross.

d. a conditional use permit.

48. An unmarried woman owns a $475,000 mansion. What is the total maximum amount of her home­stead exemption?

a. $2,000

b. $4,750

c. $237,500

d. $475,000

50. Under the Torrens system,

a. title passes when the grantee's application for registration has been approved and the real estate has been registered.

b. the Torrens official performs exactly the same functions as the recorder of deeds.

c. the original deed is mailed to the buyer after it has been registered.

d. the registration of a title can be canceled by the owner at any time.

53. Title insurance would cover all of the following hidden defects discovered after closing and not listed on the title commitment *EXCEPT*

a. an incorrect legal description.

b. a wrong name on a recorded deed.

c. a claim to ownership by the spouse of a former owner.

d. a recorded mortgage satisfaction document.

59. Louisa has operated a neighborhood grocery store for the last 25 years. Her store is the only retail property in the area that is zoned residential. The store is an example of a(n)

a. illegal enterprise.

b. violation of the zoning laws.

c. nonconforming use.

d. variance of the zoning laws.

83. A man conveys the ownership of his house to his mother and stipulates that upon her death he will recapture ownership. The interest the man has in the property is a

a. remainder interest.

b. curtesy estate.

c. legal life estate.

d. reversionary interest.

85. Grantee is to a deed as devisee is to a

a. trust.

b. estate.

c. leasehold.

d. will.

86. The clause in the deed that conveys the rights and privileges of ownership is called the

a. habendum clause.

b. granting clause.

c. appurtenance clause.

d. acknowledgment.

87. The type of title insurance that will protect the owner and heirs is called

a. a lender's policy.

b. a leasehold policy.

c. an owner's policy.

d. a certificate of sale policy.

88. For land to be taken by the government under its right of eminent domain, which of the following must apply?

a. There must be a statutory dedication.

b. This must be an adverse action.

c. There must be constructive notice.

d. The taking must be for a public purpose.

89. Tenancy with survivorship means

a. the tenancy interest will be inherited.

b. the tenant's heirs are survivors.

c. the tenancy interest will pass to the surviving tenant(s) upon the death of one party.

d. this is not a legal tenancy.

91. The type of real estate ownership that is *MOST* all-inclusive is a

a. life estate.

b. conditional fee estate.

c. fee simple estate.

d. reversionary interest.

95. After real estate has been sold by the state or county to satisfy a delinquent tax lien, defaulted owners usually have a right to

a. have the sale canceled by paying the back taxes and penalties.

b. redeem the property within the time specified by law.

c. pay their creditors directly and have their liens removed.

d. record a notice of nonresponsibility for the unpaid taxes.

98. The seller conveyed a quitclaim deed to the buyer. Upon receipt of the deed, the buyer may be certain that

a. the seller owned the property.

b. there are no encumbrances against the property.

c. the buyer now owns the property subject to certain claims of the seller.

d. all of the seller's interest in the property, if any, belongs to the buyer.

99. In a land trust, which of the following is *FALSE*?

a. Public records list all the beneficiaries.

b. Beneficial interest can be transferred by assignment.

c. The beneficiary is usually the trustor.

d. The property can be pledged as security for a loan without recording a mortgage.

104. Because a couple no longer needs their large house, they decide to sell it and move into a cooperative apartment building. In a cooperative, they will

a. own their individual apartment.

b. become shareholders in a corporation.

c. own the common elements.

d. receive a 20-year lease to their apartment.

106. Elizabeth grants a parcel of land to her church for as long as the parcel is used for religious purposes. The church's ownership rights to the parcel constitute a

a. fee simple defeasible estate.

b. fee simple absolute estate.

c. life estate.

d. leasehold estate.

109. If the Jeffersons move into a cooperative apartment building they will

a. become shareholders in a corporation.

b. own and finance their individual apartment.

c. have fee simple title to unit.

d. receive a 20-year lease to their apartment.

113. The town of Meadowvale enacts a new zoning code. Under the new code, commercial buildings are not permitted within 1,000 feet of Robin Lake. A commercial building built years before on the lakeshore but permitted to continue in its former use operates as a(n)

a. variance.

b. nonconforming use.

c. special use.

d. adverse possession.

114. A primary feature of property held in joint tenancy is that

a. there is always right of survivorship.

b. a maximum of two people can own the real estate.

c. the fractional interests of the owners can be different.

d. additional owners may be added later.

115. A man allows his neighbor to store her camper in his yard for a few weeks until he needs the space. The man does not charge his neighbor rent for the use of his yard. The man has given his neighbor

a. an easement appurtenant.

b. an easement by necessity.

c. an estate in land.

d. a license.

116. A woman conveys a life estate to her grandson and stipulates that upon her death the estate will pass to her son-in-law. The son-in-law has

a. a reversionary interest.

b. an estate for years.

c. a remainder interest.

d. a legal life estate.

117. In a limited partnership,

a. the general partners run the business.

b. the number of investors is limited to 10.

c. all the partners participate in running the business.

d. investors may participate with only a small amount of capital but with unlimited liability.

119. An owner divides a parcel into several lots, one of which is completely surrounded by other lots and has no street access. Which of the following is *TRUE*?

a. The municipality must construct a street to create access.

b. The owner must create an easement by condemnation to provide access.

d. An easement by prescription should be granted.

d. An easement by necessity should be created for the landlocked parcel.

124. Normally, the priority of general liens is determined by the

a. order in which the cause of action arose.

b. size of the claim.

c. court.

d. order in which they are filed or recorded.

127. A woman owns 50 acres of land with 500 feet of frontage on a desirable recreational lake. She wishes to subdivide the parcel into salable lots, but she wants to retain control over the lake frontage while allowing lot owners to have access to the lake. Which of the following types of access rights would provide the greatest protection for a prospective lot purchaser?

a. Appurtenant easement

b. Easement in gross

c. Easement by necessity

d. License

128. A contractor performed his last work on September 15, 2014. The contractor may file his lien affidavit at any time on or before

a. October 15, 2014.

b. September 15, 2014.

c. December 31, 2014.

d. March 15, 2015.

129. Jamal and Tina bought a store building and took title as joint tenants. Tina died testate. Jamal now owns the store

a. as a joint tenant with rights of survivorship.

b. in severalty.

c. as a tenant in common with the dead woman's heirs.

d. in trust.

131. Which of the following is a voluntary alienation of the property?

a. Adverse possession

b. Condemnation

c. Foreclosure

d. Owner sale

134. A trust that is established after the death of the owner is called a

a. testamentary trust.

b. trust by will.

c. beneficial trust.

d. living trust.

136. What type of lien arises as a result of a judgment, estate or inheritance taxes, a decedent's debts, or federal taxes?

a. Specific

b. Voluntary

c. Equitable

d. General

140. Which of the following is an example of a legal life estate?

a. Estate conveyed by one party to a second party for the life of the second party

b. Use of a will to convey property

c. Homestead estate

d. Estate conveyed to a second party subject to a condition

B test

10. In which of the following situations could a quitclaim deed *NOT* be used?

a. To convey title

b. To release a nominal real estate interest

c. To warrant that a title is valid

d. To remove a cloud on title

12. General real estate taxes are also called

a. special assessments.

b. *ad valorem* taxes.

c. appropriation funds.

d. general, voluntary liens.

19. What is the term for a deed that contains no express warranties?

a. A bargain and sale deed

b. A quitclaim deed

c. A warranty deed

d. A deed of trust

21. Which of the following is the year-lengths of the different adverse possession time periods in Alabama?

a. 10, 5

b. 20, 10

c. 20, 10, 5

d. 20, 10, 3

28. In a situation where a homeowner conveys property to her uncle with a deed, and then the uncle records the dead, when did title to the property actually transfer or pass to the uncle?

a. Upon delivery and acceptance of the contract

b. Upon recording of the deed

c. Upon delivery and acceptance of the deed

d. Upon the delivery of consideration

35. Gretchen is a widow with no children who owns property that she devises by her will to her favorite niece. After Gretchen dies, when will full title and possession of the property pass to her niece?

a. Immediately upon the widow's death

b. After the widow's will has been probated

c. After the niece has paid all inheritance taxes

d. When the niece executes a new deed to the property

37. An involuntary encumbrance to secure payment to a general contractor is a lien on

a. all property of the debtor in the county where filed.

b. the property improved by the general contractor’s services.

c. all property of the debtor in his or her home county.

d. only the homestead exemption of the debtor.

38. All of the following are subject to real property ownership rights *EXCEPT*

a. buildings located on the land.

b. air space above the land.

c. easements running with the land.

d. navigable rivers running through the land.

39. A homestead exemption protects against judgments

a. resulting from unpaid taxes.

b. from foreclosure of a mortgage.

c. of unsecured creditors.

d. that result from the costs of improvements.

45. Rachel and June own a property together. Rachel dies and June now owns the property with Rachel's heirs. In this situation, Rachel and June owned the property

a. as joint tenants.

b. as tenants in common.

c. as shareholders in their own corporation.

d. by entirety.

49. The rights of ownership of real property include all of the following *EXCEPT*

a. disposition.

b. compatibility.

c. exclusion.

d. control.

51. Which of the following is an example of involuntary alienation?

a. Having a piece of land sold for delinquent taxes

b. Selling a property to pay off debts

c. Giving a piece of land to the zoo

d. Letting another person plant crops on an unused portion of a piece of land

52. A condominium community has a swimming pool, tennis courts, and a biking trail. These facilities are *MOST* likely owned by the

a. condominium board.

b. corporation in which the unit owners hold stock.

c. unit owners in the form of percentage undivided interests.

d. unit owners in the form of proportional divided interests.

53. Which of the following statements about general lien and a specific lien is *TRUE*?

a. A specific lien is held by one person, while a general lien is held by at least two people.

b. A general lien cannot be enforced in court, while a specific lien can be enforced.

c. A general lien affects all of a debtor's property, while a specific lien affects only a certain piece of property.

d. A specific lien covers real estate, while a general lien covers personal property.

55. A father conveyed the family home to his daughter by will as a *pur autre vie* estate for the life of her mother. If the daughter should die before the mother, who gains possession of the property?

a. Remainderman

b. Mother

c. Father's other children

d. Daughter's heirs

59. All of the following are requirements for acquiring ownership of property by adverse possession *EXCEPT*

a. the person in possession must compensate the owner.

b. occupancy of the property must be without the owner's consent.

c. occupancy must be continuous and over a specified period of time.

d. the person in possession must occupy the property openly rather than secretly.

61. Which of the following is *NOT* a test to identify a fixture?

a. Intent of the parties

b. Method of attachment of the item

c. Size of the item

d. Adaptation of the item to the real estate

65. A woman held fee simple title to a vacant lot adjacent to a business. She was persuaded to make the lot available to the business. She had her attorney prepare a deed that conveyed ownership of the lot to the business "so long as it is used for commercial purposes." After the completion of the gift, the business will own a

a. life estate.

b. tenancy for years.

c. periodic tenancy.

d. determinable fee estate.

73. Which statement is *TRUE* regarding a special warranty deed?

a. The grantor is making additional warranties beyond those given in a warranty deed.

b. The grantor retains an interest in the ownership.

c. The grantor is warranting that no encumbrances exist against the property.

d. The grantor's warranties are limited to the time the grantor owned the property.

74. The term *improvements*, when referring to real estate, includes

a. shrubbery.

b. trees.

c. lawns.

d. sidewalks.

76. A bill of sale is used to transfer the ownership of

a. real property.

b. fixtures.

c. appurtenances.

d. personal property.

82. A person wants to ensure that the ownership of real property can be willed to her children. Which form of ownership would the person want?

a. Conventional life estate

b. Joint tenancy

c. Fee simple estate

d. License

83. A suit to quiet title refers to

a. a title insurance company's search of the title.

b. a mortgagor relinquishing title after foreclosure.

c. the removal of a cloud on the title by court action.

d. the deposit of a title with an escrow agent.

88. Olivia conveys property to Nicholas with a deed. Nicholas then recorded the deed. When did title to the property actually transfer to Nicholas?

a. Upon delivery and acceptance of the contract

b. Upon delivery and acceptance of the deed

c. Upon recording of the deed

d. Upon the delivery of consideration

94. All of the following are generally exempt from paying real estate taxes *EXCEPT*

a. municipal government.

b. charitable hospital.

c. private not-for-profit school.

d. for-profit assisted living facility.

99. The type of deed in which the granting clause states "grant, bargain, and sell" is a

a. special warranty deed.

b. general warranty deed.

c. reconveyance deed.

d. bargain and sale deed.

100. When grantors do *NOT* wish to convey certain property rights, they

a. must note the exceptions in a separate document.

b. may not do so because the deed conveys the entire premises.

c. may note the exceptions in the deed of conveyance.

d. must convey the entire premises and have the grantee reconvey the rights to be retained by the grantor.

102. Which of the following statements about the covenant of quiet enjoyment is *TRUE*?

a. The grantor ensures that the title will be good against the title claims of third parties.

b. The grantor guarantees that if the title fails in the future, he or she will compensate the grantee.

c. The grantor warrants that he or she is the owner and has the right to convey title to the property.

d. The grantor promises to obtain and deliver any instrument needed to make the title good.

104. The type of deed in which the granting clause states "remise, release, alienate, and convey" is a

a. bargain and sale deed.

b. quitclaim deed.

c. special warranty deed.

d. sheriff's deed.

106. A man has defaulted in the payment of several of his debts, and the court has ordered his property sold to satisfy his obligations. A title search revealed several outstanding liens against the property to be sold. Which of the following liens has highest priority?

a. Outstanding first mortgage lien dated and recorded one year ago

b. Real estate tax lien for the current year

c. Judgment lien rendered and recorded last month

d. Mechanic's lien for work started two months before the mortgage was recorded

107. When a mortgage loan has been paid in full, it is important for the borrower to be sure that

a. the paid note is placed in a safe deposit box.

b. they obtain a deed of partial reconveyance.

c. a satisfaction of mortgage is recorded.

d. the paid mortgage is returned to the lender.

111. A woman bought acreage but never saw it and did not use it; although, she regularly paid the real estate taxes on it. Without her knowledge, a man moved his mobile home onto the property, drilled a well for water, and lived there for many years. The man may have become the owner of the acreage if he complied with state laws regarding

a. intestate succession.

b. adverse possession.

c. the statute of frauds.

d. the statute of limitations.

112. The date and time a document was recorded in the public records helps to establish which of the following?

a. Abstract of title

b. Alienation clause

c. Marketable title

d. Priority of mortgages and liens

115. Which of the following is *TRUE* of condominium ownership?

a. The individual units cannot be mortgaged.

b. The corporation pays the real estate taxes.

c. The ownership cannot be willed.

d. An owner's interest in the limited common elements cannot be sold separately.

117. A document that protects against hidden risks such as forgeries and loss due to defects in the title, subject to specific exceptions, is called

a. a chain of title.

b. an abstract of title.

c. a certificate of title.

d. a title insurance policy.

118. Which of the following is a lien on real estate?

a. Easement

b. Recorded mortgage

c. Encroachment

d. Restrictive covenant

119. Arun and Ben are joint tenants. Ben sells his interest to George. What is the relationship of Arun and George?

a. They are tenants in common.

b. They are joint tenants.

c. There is no relationship because Ben cannot sell to George.

d. Arun owns a two-thirds interest and George owns a one-third interest.

125. Which of the following is defined as the historical records of all owners and encumbrances of a specific parcel of real estate?

a. Title search

b. Chain of title

c. Title commitment

d. Abstract of title

128. A man owned two acres of land. He sold one acre to a neighbor and reserved for himself an appurtenant easement over his neighbor's land for ingress and egress. The man's land

a. is the servient tenement.

b. is the dominant tenement.

c. can be cleared of the easement when the man sells the withheld acre to a third party.

d. is subject to an easement in gross.

132. A person who acquired ownership that can be inherited, with the provision that the land must always be used for recreational purposes, has which of the following?

a. Fee simple estate

b. Fee estate subject to condition subsequent

c. Restricted estate

d. Estate that cannot be sold

136. A property owner contracted to have a swimming pool installed on her property. When the pool was completed, she refused to pay for the improvement, and the contractor filed a lien for nonpayment. This lien was *MOST* likely a

a. general lien.

b. special lien.

c. voluntary lien.

d. specific lien.

138. Claire has just made the final payment to her lender for her home's mortgage. However, a lien on her property will remain until the lender records a(n)

a. satisfaction of mortgage.

b. reconveyance of mortgage.

c. alienation of mortgage.

d. reversion of mortgage.

C Test

2. The road to a man's home is winding and long, and the shorter, more direct route is across a neighbor's land. The man has used the more direct route for years and has never seen the neighbor. He hopes to eventually gain an easement by

a. necessity.

b. condemnation.

c. license.

d. prescription.

3. Dianne owns 50 acres of land with 500 feet of frontage on a desirable recreational lake. She wishes to subdivide the parcel into salable lots. Dianne also wants to retain control over the lake frontage while allowing lot owners to access the lake. Which right would provide the greatest protection for a prospective lot purchaser?

a. Easement in gross

b. Easement by necessity

c. Appurtenant easement

d. License

5. A cooperative obtains the funds necessary to cover ongoing operating expenses and mortgage payments by

a. charging rent to each of the shareholders.

b. selling the common elements.

c. collecting regular assessments from shareholders.

d. charging special assessments.

6. Which of the following is an involuntary alienation of property?

a. Quitclaim

b. Inheritance

c. Condemnation

d. Gift

10. Eric and Benito are co-owners in fee simple of a small office building. Benito dies intestate and leaves nothing to be distributed to his heirs. Eric is neither related to Benito nor his creditor. What would explain how Eric acquired Benito's interest in the office building?

a. Reversionary rights

b. Adverse possession

c. Remainder interests

d. Joint tenancy

12. An owner conveys a life estate to her grandson George and stipulates that on her death the estate will pass to her son-in-law Tomas. Tomas has a(n)

a. reversionary interest.

b. estate for years.

c. remainder interest.

d. legal life estate.

14. If a property owner conveys a life estate to his sister for her lifetime and then designates his nephew as the person to whom the property will pass when the life estate ends, when the sister dies, what happens to the property?

a. The property reverts back to the original property owner.

b. The nephew automatically becomes the fee simple owner of the property.

c. The property passes to the sister's heirs.

d. The property owner must designate a remainderman for the property.

19. What is the difference between a general lien and a specific lien?

a. A general lien cannot be enforced in court, while a specific lien can be enforced.

b. A general lien affects all of a debtor's property, while a specific lien affects only a certain piece of property.

c. A specific lien is held by one person, while a general lien is held by at least two persons.

d. A specific lien covers real estate, while a general lien covers personal property.

25. A developer wishes to purchase the land on which an eight-unit condo complex once stood in Gulf Shores, but which was completely destroyed by a major hurricane. You need to obtain purchase contract(s) from

a. the last known president of the condo association.

b. the state of Alabama, because the land escheated.

c. no one—this land cannot be purchased.

d. all of the condo owners.

37. How long is the post-tax sale administrative redemption period in Alabama?

a. One year

b. Two years

c. Three years

d. Four years

41. Owen tells his next door neighbor that she can store her camper in his yard for a few weeks until he needs the space. Owen does not charge the neighbor any rent for the use of his yard. Owen has given his neighbor a(n)

a. easement by necessity.

b. estate in land.

c. license.

d. easement appurtenant.

44. The main purpose of police power is to

a. demonstrate the authority of the state.

b. set limits on the amount and kinds of businesses in a given area.

c. protect residential neighborhoods from encroachment by business and industry.

d. ensure the health, safety, and welfare of the community.

46. The process by which government can acquire ownership of private land for public use is

a. escheat.

b. condemnation.

c. eminent domain.

d. doctrine of public acquisition.

53. Alabama real estate taxes are assessed on \_\_\_\_\_ for the year in \_\_\_\_\_.

a. October 1, arrears

b. October 1, advance

c. January 1, arrears

d. January 1, advance

54. In what way does a deed of trust differ from a mortgage?

a. Obligation of the borrower to repay the funds

b. Redemption rights allowed after foreclosure

c. Number of parties involved in the loan

d. Time period permitted to cure a default

60. In order for a deed to be valid, the

a. signature of the grantee must be witnessed.

b. deed must be recorded.

c. grantee must sign the deed.

d. grantor must be legally competent.

66. Franklin bought acreage in a distant county, but never went to see the acreage and did not use the land. After the purchase, Susan moved her mobile home onto the land, drilled a well, and lived on the property for 20 years. Susan may become the owner of the land if she has complied with the law regarding

a. quitclaim deeds.

b. adverse possession.

c. voluntary alienation.

d. prescriptive easements.

73. Susan uses her neighbor Joe's driveway to reach her garage, which is on Susan's property. Susan's attorney explains that ownership rights of Susan's real estate includes an easement appurtenant giving her the right to use Joe's driveway. In this case Joe's property is the

a. dominant tenement.

b. leasehold interest.

c. servient tenement.

d. licensed property.

76. When receiving a gift of a parcel of real estate, one of the two new owners was given an undivided 60% share, and the other received an undivided 40% share. The new owners now hold title as

a. joint tenants.

b. community property owners.

c. tenants in common.

d. cooperative owners.

77. What type of estate is created when a property owner deeds a parcel of his property to a town "for recreational purposes only?"

a. Leasehold estate

b. Fee simple absolute estate

c. Fee simple defeasible estate

d. Life estate

88. Zoning authority by a municipality is limited by

a. a requirement that it not favor one part of the municipality at the sacrifice of another.

b. a majority vote of the planning board.

c. a requirement that any actions promote the health, safety, morals, or general welfare of the community.

d. regulations issued by the Alabama Department of State.

89. When may the holder of a reversionary interest in a qualified fee estate be able to obtain title to the property?

a. Only if the remainderman died first

b. If he or she changed the conditions and the owner was unable to meet the requirements

c. If the holder of the qualified fee estate breaks the deed condition

d. If the holder of the qualified fee estate sells the property

90. What will happen to real estate when its deceased owner did *NOT* write a will and no heirs can be located?

a. The ownership will pass by devise.

b. The ownership will escheat.

c. The ownership will revert to the previous owner.

d. The courts will seize the ownership.

99. A tax lien on the property can hinder the sale of a property because it is

a. a monetary charge that the purchaser must satisfy.

b. an appurtenance that does not affect the title.

c. an encumbrance.

d. an encroachment.

100. Peter deeds a parcel of his property to a town "for recreational purposes only." The deed conveys to the town a

a. fee simple defeasible estate.

b. leasehold estate.

c. fee simple absolute estate.

d. life estate.

106. Taxes levied on a property owner to pay for installation of sidewalks or sewers are called

a. ad valorem taxes.

b. general property taxes.

c. special excise taxes.

d. special assessments.

109. A property owner has 40 acres of land with road frontage on only the northern boundary. He sells the southern 20 acres to his sister, who reaches the road by a driveway that passes over her brother’s land. No documents give her ingress and egress rights because they are siblings and don’t think it is necessary. Five years later, the brother dies and his 20 acres are sold to pay estate taxes. Can this landlocked property be sold?

a. Yes, because Alabama is a caveat emptor state and the buyer must beware

b. Yes, because the southern 20 acres has an easement by necessity over the northern 20 acres

c. No, because the property is landlocked and a purchaser cannot obtain clear title

d. No, because it is fraudulent to offer landlocked property for sale

115. The type of deed in which the grantor defends the title back to its beginning is a

a. general warranty deed.

b. trustee's deed.

c. quitclaim deed.

d. special warranty deed.

116. Which of the following would be considered acceptable evidence of marketable title?

a. Title insurance policy

b. Seller signing a general warranty deed

c. Deed of trust

d. Copy of the seller's current deed

130. The owner of a secluded area adjacent to an ocean noticed that people from town walked along the shore in front of his property. The owner learned that the local citizens had been walking along this beach for several years. He went to court to try to stop people from walking along the water's edge in front of his property. The owner is likely to be

a. unsuccessful because the owner's property extends only to the high-water mark and the public may use the land beyond this point.

b. unsuccessful because the local citizens have been doing this for years and thus have an easement.

c. successful because the owner's property extends to the low-water mark.

d. successful because the owner can control access to his own property.

131. Of the following liens, which would usually be given highest priority in disbursing funds from a foreclosure sale?

a. A mortgage dated last year

b. Unpaid real estate property taxes

c. A mechanic's lien for work started before the mortgage was made

d. A judgment rendered the day before foreclosure

134. In a standard deed, which of the following clauses conveys the rights and privileges of ownership?

a. Exception clause

b. Seisin clause

c. Granting clause

d. Acknowledgment

137. Escheat and eminent domain are both examples of

a. adverse possession.

b. transfers of title by descent.

c. involuntary alienation.

d. voluntary alienation.