PART A

1. Discuss in detail the distinctions between the main kinds of freehold estates.

2. “Equitable right has now advanced to the status of right in rem, but not quite”.
   Critically examine this statement.

3. "If the owner of land requests or allows another to expend money on the land under an expectation created or encouraged by the owner that he will be able to remain there, that raises an equity ... such as to enable him to stay", and
   “It is for the court in each case to decide in what way the equity can be satisfied”.
   Explain.
PART B

4. Pat is the fee simple owner of Deep Valley, which adjoins Blueacre, the property of Terry. Pat's children have since 1997 been playing on Blueacre which Terry intends to develop as a public recreation ground. Pat has a cow which grazes on Blueacre. Pat erects a fence around Blueacre to prevent his cow from straying onto the nearby street.

Pat dies in 2011 and since then his wife, Mary, has been maintaining the grounds and the fence around Blueacre. Last year Mary put up a gate and a lock in the fence around Blueacre to protect it from intruders. Terry enquired as to what Mary was doing, and he was told that she was looking after Blueacre until such time as it would be used for the proposed public recreation ground.

Mary consults you with a letter from Terry warning her to vacate Blueacre.

Advise.

5. Answer BOTH (a) AND (b):

(a) "Jus accrescendi is looked upon as odious in equity".

Explain and discuss this statement in the light of relevant cases.

(b) Freehold land is conveyed to P, Q, R and S in fee simple. P by his will left his interest to W. Q attempted to buy R’s share but before they could agree on a price Q died. R wrote to S informing him of his intention to convey his interest to his son, Z. R dies intestate before the transaction could be completed to convey his interest to Z.

Advise the parties.

6. Allan died in 2013, having bequeathed all his personality and movable property to his widow, May. He also devised all his real and inuomvable property to his brother, Nik.

Allan had:

(i) a board house which was erected on concrete blocks into which cement had been poured to make it 'solid'. It was bolted into the blocks and fitted with a flush toilet connected to a cesspit which could only be removed by breaking the pipe.

(ii) a lease of 70 Cavehill Road, University Town, which, at the time of his death, had an outstanding term of eight years.

(iii) a fee simple title to a sugarcane plantation, on which he had the following:
(a) cart and (b) a tractor which he used for ploughing the plantation.

Advise the executor of Allan's will as to the respective entitlements of May and Nik.

END OF PAPER