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FOUNDATIONS OF NEW JERSEY REAL ESTATE

TEST: Property Interests and Rights Types of Ownership

Answer key: www.njretest.com

1. An easement that would remain with the property when title to the property is transferred is known as an:
 - A. Easement in fee
 - B. Easement in gross
 - C. Attached easement
 - D. Easement appurtenant
2. When ownership is held by one person it is referred to as what type of ownership?
 - A. Severalty
 - B. Undivided
 - C. Joint
 - D. Independent
3. When a person dies intestate and has no heirs capable of inheriting, their property reverts to the state by virtue of:
 - A. Eminent domain
 - B. Dedication
 - C. Adverse possession
 - D. Escheat
4. Which of the following is a freehold estate?
 - A. An estate at will
 - B. A life estate
 - C. An option
 - D. A lease
5. The mention of the term "unit deed" would suggest what type of ownership?
 - A. Cooperative
 - B. Condominium
 - C. Severalty
 - D. Joint tenancy
6. Kathi explains that she holds fee simple title in severalty to her office unit and has an undivided interest in common in all of the common elements of the property with other unit owners. What she is describing is a:
 - A. cooperative
 - B. tenancy by the entirety
 - C. tenancy in common
 - D. condominium
7. Eva, Lydia, and Ashley co-own a rental property as joint tenants. Eva wants to sell her interest but neither Lydia nor Ashley care to buy it. Eva then sells her share to Mason. Which one of the following is true?
 - A. Eva cannot sell her interest
 - B. A sale to Mason has to be approved by Lydia and Ashley
 - C. Eva, Lydia, and Mason become tenants in common
 - D. Mason is a tenant in common with Lydia and Ashley
8. John Jones and Jim Smith own a parcel of land as joint tenants. Jones dies and his will specifies that his interest will pass to his wife, and upon her death, to his children. What type of estate do the children have?
 - A. Estate in reversion
 - B. Estate in the remainder
 - C. Life estate
 - D. None of the above

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9. Nick's neighbor allows him to enjoy the use of his swimming pool anytime he desires. After having a disagreement with Nick, the neighbor revokes this right. Nick had a(n):
- A. easement in gross
 - B. license
 - C. estate at sufferance
 - D. easement appurtenant
10. Leasehold estates include which of the following?
- A. Estate for years
 - B. Estate at will
 - C. Estate from period to period
 - D. All of the above
11. The highest or largest possible degree of ownership of real property is:
- A. Estate at Will
 - B. Life Estate
 - C. Estate in Fee Simple
 - D. Equitable Estate
12. The lowest possible degree of estate is:
- A. Estate in Fee Simple
 - B. Estate at Will
 - C. Dower Estate
 - D. Estate at Sufferance
13. When property is owned by two or more persons and upon the death of one his interest passes to the survivor it is known as:
- A. Tenancy in Common
 - B. Severalty ownership
 - C. Joint Tenancy
 - D. Estate in Fee Simple
14. When a person enters into a sale agreement to purchase real estate the type of estate he has is:
- A. Curtesy Estate
 - B. Estate at will
 - C. Estate at Sufferance
 - D. Equitable Estate
15. Which of the following applies to property owned by Tenants in the Entirety?
- A. Either owner may will his rights
 - B. Either owner may sell his rights
 - C. There may be more than two owners
 - D. The owners must be married or members of a civil union
16. Which of the following would be an example of a defeasible fee?
- A. Anne's father grants title to her so long as she does not marry
 - B. Maggie dies and leaves a property to Jack for the duration of Jack's life
 - C. Upon the death of a life tenant, title reverts to the original grantor
 - D. A lease that will expire on a pre-determined date
17. Members of a civil union may own real estate as:
- A. joint tenants
 - B. tenants in common
 - C. tenants by the entirety
 - D. Any of the above
18. Mr. Brown was devised a life estate from his father. Since he had no use for the property he sold his interest to Wanda Newhouse. Which of the following is **FALSE**?
- A. When Mr. Brown dies, Wanda's interest would terminate
 - B. Mr. Brown cannot sell his interest
 - C. If Wanda were to pre-decease Mr. Brown, her interest would pass to her heirs
 - D. Wanda is said to have a life estate pur autre vie
19. A man dies and his will stipulates that title to his property is to pass to his wife, with the provision that upon her death title is to pass to two of their three children. The type of estate that the wife has is known as:
- A. Estate in reversion
 - B. Life estate
 - C. Estate in the remainder
 - D. Estate at will
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20. Mary was forced to sell her property to a government agency for \$95,000. Her property was taken under the government's right of:
- A. eminent domain
 - B. escheat
 - C. police power
 - D. commercial frustration
21. John, Mary and Sue own 20, 30 and 50% respectively of White Oak Acres. Based on that information, they must own the property as:
- A. joint tenants
 - B. tenants in common
 - C. tenancy by the entirety
 - D. severalty
22. Which one of the following is **NOT** one of the four unities of Joint Tenancy?
- A. Unity of possession
 - B. Unity of time
 - C. Unity of equity
 - D. Unity of interest
23. The parcel of land that benefits from an easement may be referred to as a/an:
- A. dominant estate
 - B. appurtenant estate
 - C. servient estate
 - D. equitable estate
24. The type of estate a holdover tenant would have is known as a/an:
- A. estate at will
 - B. conditional estate
 - C. periodic estate
 - D. estate at sufferance
25. The right that the government has to promulgate and enforce laws necessary for the protection of the general public is known as:
- A. protective zoning
 - B. restrictive zoning
 - C. building codes
 - D. police power
26. Pete was able to acquire an easement on the vacant lot next to his after more than 20 years of use during which the owner of the vacant lot never asserted her rights by either notifying Pete of his illegal use or granting permission. Pete was successful in acquiring an:
- A. easement by prescription
 - B. conservation easement
 - C. easement by necessity
 - D. commercial easement
27. Connor transferred title to his Jersey shore summer home to his daughter. The daughter's ownership includes a condition that she never rent it out to others. This is an example of a:
- A. fee simple absolute estate
 - B. life estate
 - C. conditional fee estate
 - D. remainder estate
28. Andrew and Jordan are a same sex couple but they are not married. They own their condominium together in equal shares. Jordan acquired his interest in the property one year after Andrew acquired his. They must own the property as:
- A. tenants by the entirety
 - B. joint tenants
 - C. civil union tenants
 - D. tenants in common
29. The bundle of rights is a comprehensive set of legal rights associated with the ownership of real estate. The four broad categories included in the bundle of rights are:
- A. possession, control, enjoyment, disposition
 - B. possession, control, enjoyment, domain
 - C. property, control, enjoyment, disposition
 - D. possession, control, easements, disposition
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30. Noah purchased a parcel of vacant land and now has fee simple absolute title to the property. Unless specifically excluded, his ownership includes all of the following except:
- A. surface rights
 - B. subsurface rights
 - C. condemnation rights
 - D. air rights
31. When Stella purchased her cooperative apartment she received:
- A. a proprietary lease and a deed
 - B. shares of stock and a proprietary lease
 - C. a life estate and a proprietary lease
 - D. shares of stock and a deed
32. In Charlotte's condominium development the pool, tennis court, elevator, and land are examples of:
- A. common elements
 - B. personal property
 - C. time-shared property
 - D. proprietary property
33. Mr. & Mrs. Cooper gave a gift of real estate to Professional University but the Coopers reserved a life estate for themselves. The hospital will receive the property after the death of both of the Coopers. The University is known as the:
- A. life tenant
 - B. holdover tenant
 - C. Joint possessor
 - D. remainderman