

- I. O conveys Blackacre to A for life, then to the first child of A, but if that first child of A does not live to 25, then to C and her heirs. A has no children at the time of the conveyance. Makdisi, P. 112, No. 342

A. What is the state of the title in 1500?

O Reversion _____ A Life Estate _____
 A's First Child Cont. Rem in FSA _____ C Nothing _____
 C's Heirs Nothing _____ Other _____
 Reasons _____

B. What is the state of the title in 1700?

O Reversion _____ A Life Estate _____
 A's First Child Cont. Rem in FSA _____ C Nothing _____
 C's Heirs Nothing _____ Other _____
 Reasons _____

C. A then has a child, X. C then dies, leaving Y as her heir. Then O dies, leaving Z as his heir. What is the state of the title in 1700?

Z Nothing _____ A Life Estate _____
 X VRem. in FSA _____ Y Nothing _____
 Other _____
 Reasons _____

- II. O to A for life, then to B and her heirs if B marries C, and if B does not marry C, to D and his heirs.

A. What is the state of the title in 1500?

O Reversion _____ A Life Estate _____
 B Cont. Rem. in Fee _____ C Nothing _____
 D Alt. Cont. Rem in Fee _____
 A's Heirs Nothing _____ B's Heirs Nothing _____
 D's Heirs Nothing _____ Other _____
 Reasons _____

B. Do any of the interests change in 1700?

Yes _____ No X _____ Which ones _____
 Reasons _____

C. Continuing in 1700, B marries C. What is the state of the title now?

O: Nothing A: Life Estate
B: Vest. Rem. in Fee C: Nothing
D: Nothing
A's Heirs: Nothing B's Heirs: Nothing
D's Heirs: Nothing Other: _____
Reasons: _____

D. Continuing in 1700, A renounces her life estate. What is the state of the title now?

O: Nothing A: Nothing
B: Fee Simple Absolute C: Nothing
D: Nothing
A's Heirs: Nothing B's Heirs: Nothing
D's Heirs: Nothing Other: _____
Reasons: _____

From now on, assume all the questions relate to "modern" American law.

III. O grants to A for Life, however, if A rents the property, then to B and his heirs.

O: Reversion in FSA A: Possessory estate in life estate subject to an executory interest
B: Executory interest - FSA
A's Heirs: Nothing B's Heirs: Nothing
Other: _____
Reasons: _____

IV. O grants to A for Life, then to A's children who reach 30.

O: Reversion in FSA A: Life Estate
A's children: Nothing
Other: _____
Reason: RAP

V. O to W for life, then to A and her heirs if A survives W, and if A does not survive W, then to B and his heirs.

A. What is the state of the title?

O: Reversion W: Life Estate
A: Cont. Rem. in Fee B: Alternate Contingent Remainder in fee
A's Heirs: Nothing B's Heirs: Nothing
W's Heirs: Nothing Other: _____
Reasons: _____

B. B dies, without a will, leaving D as his heir. What is the state of the title?

O: Reversion W: Life Estate
A: Cont. Rem. in Fee B: Nothing
D: Alternate Contingent Remainder in fee
A's Heirs: Nothing B's Heirs: Nothing
W's Heirs: Nothing Other: _____
Reasons: _____

C. W dies. What is the state of the title now?

O: Nothing W: Nothing
A: FSA B: Nothing
D: Nothing
A's Heirs: Nothing B's Heirs: Nothing
D's Heirs: Nothing Other: _____
Reasons: _____

D. A dies, without a will, leaving E as her heir. What is the state of the title now?

O: Nothing W: Nothing
A: Nothing B: Nothing
D: Nothing E: FSA
A's Heirs: Nothing B's Heirs: Nothing
D's Heirs: Nothing Other: _____
Reasons: _____

VI. O to A for life, then to A's widow for life, then to A's children and thier heirs.

O: Reversion A: Life Estate
A's Widow: Contingent Remainder (for life) A's children: contingent
Remainder (in fee) _____
A's Heirs: Nothing A's children's Heirs: Nothing
Other: _____
Reasons: OK under RAP

VII. Suppose a client comes to you for advice and asks: "I want to have a will that leaves all of my estate, including my house, to all of my children. However, one of my children, Timothy, is severely disabled. If my daughter Christine is willing to care for him so he doesn't have to live in an institution, I want her to be able to live with him in the house. But if the care proves to be too much for Christine and Timothy has to live in an institutional setting, then I want the house to go to all the children. They can do with it as they choose then, including selling it and dividing the proceeds or arranging for one of them to buy out the interests of the others. Is this possible?"

Answer the client, ignoring the best answer of setting up a trust.
