



**NATIONAL OPEN UNIVERSITY OF NIGERIA**  
**14/16 AHMADU BELLO WAY, VICTORIA ISLAND, LAGOS**  
**SCHOOL OF LAW**  
**JUNE/JULY 2013 EXAMINATIONS**

**COURSE CODE: LAW 422**

**COURSE TITLE: LAND LAW II**

**TIME ALLOWED: 3 Hours**

**INSTRUCTION: Answer any 5 questions. All questions carry equal marks**

1A. Rights of occupancy under the Land Use Act may be granted in two ways. Discuss.

B. Examine the nature and character of the rights of Occupancy recognized by the Land Use Act.

2. Mr. Nduka was granted a right of occupancy by the Lagos State Governor over a piece of land lying and being at No. 40, Lekki Quarters, Lagos State, which he intends to transfer to Chief Martins for One Hundred Million Naira. Chief Martins insisted that he would not apply for the consent of the governor. Mr. Nduka however made the application in January 2011. On 15th August 2011, Mr. Nduka heard from his friend who works at the Ministry of Land that the consent would be out by 30th September 2011. Mr. Nduka on that information transferred the land to Chief Martins on 3<sup>rd</sup> September 2011. Comment on the legal issues involved in this transaction.

3. Section 28 of the Land Use Act empowers the Governor to revoke the rights

Of Occupancy granted to an Individual. Examine the reasons for such Revocation as contained in the section.

4. Define and explain the following terms:-

- a) Fee Simple.
- b) Absolute in Possession
- c) Fee in Tail
- d) Estate for Life

5. The concept of joint tenancy will not be complete without the concurrence of its two principal features. Do you agree?

6. Write a short note on the following:

The difference between 'joint tenancy' and 'tenancy in common'.

Instances where a tenancy in common is preferred to joint tenancy

7. Before an interest can be an easement, it must possess certain characteristics. Mention and explain these characteristics.

8. What do you understand by 'profits á prendre'?

8b. Mention and explain the species of 'profits á prendre'.

9a. Mention and explain:

i) the five classification of Leases

ii) the two ways by which a Lease is created

9b. What is the effect of the decision in Walsh V Lonsdale.