



NATIONAL OPEN UNIVERSITY OF NIGERIA
14/16 AHMADU BELLO WAY, VICTORIA ISLAND, LAGOS
SCHOOL OF LAW
MARCH/APRIL 2014 EXAMINATION

Course Code: LAW422

Course Title: LAND LAW II

Time Allowed: 3 Hours

Instruction: Answer QUESTION 1 and any other 3 questions.

1. In June 2011, the Director-General, Lagos State Bureau of Lands signed a Certificate of Occupancy, which was issued to Chief Kalejaiye Williams over a parcel of land lying at plot 8A, Iderade GRA, Jibowu, Lagos. However in August 2011, another Certificate of Occupancy was issued by the Lagos State Governor to AlhajiKudinyawa over the same property. Comment on the propriety of each of the Certificate of occupancy.
 - a. Examine the terms and conditions contained in the Certificate of Occupancy.
 - b. Can a certificate of occupancy be tendered in court as proof of ownership of land? Discuss.

2. Mr. Class Rep was granted a right of occupancy by the Delta State governor over a piece of land lying and being at No. 40, Otoribo Quarters, Bomadi, Delta State, which he intends to transfer to Chief Graham Taribo for One Hundred Million Naira. Chief Graham insisted that he would not apply for the consent of the governor. Mr. Class Rep however made the application in January 2011. On 15th August 2011, Mr. Class Rep heard from his friend who works at the Ministry of Land that the consent would be out by 30th September 2011. Mr. Class Rep on that information transferred the land to Chief Graham on 3rd September 2011.
 - i) Comment on the legal issues involved in this transaction.
 - ii) Write explanatory note on the alienation of customary right of occupancy

3. As a result of the rapid development that engulfed Nigeria during the 1960s, it became imperative for the federal government to urgently review the land tenure systems that existed at the time to cater for the needs of the Nigerian citizens. What were the steps

taken by the government to achieve its aim and what was the result?

4. a) There were three types of freehold estate under the non-customary land tenure.

Mention and explain each of them. (7.5marks)

- b) Explain the concept of “four unities” under joint tenancy (5marks)

- c) What are the methods of severance of a joint ownership (5marks)

5. a. Before an interest can become an easement, it must possess certain

characteristics. Mention and explain these characteristics.

Support your answer

with judicial authorities (7.5 marks)

- b. Mention and explain the species of ‘profits á prendre’. (7.5marks)

6. Answer the following with the aid of judicial authorities;

I) Adams entered into agreement with Chief Thompson for the use of the vacant space in front of Chief Thompson’s house for Adam’s provision kiosk. Chief Thompson allowed him to place the Kiosk upon the understanding that pay at a yearly rent paid quarterly and whenever he needs the space Adams shall be given a One month Notice. Following a disagreement with Adam, Chief Thompson has given Adams one month Notice to remove his kiosk forthwith from the his property. Adams contends that as a tenant on yearly lease Chief Thompson ought to give him six months Notice. Advice the parties.

II)

III) A client has come to you to advise him on the differences between a Legal and equitable mortgage.