



**NATIONAL OPEN UNIVERSITY OF NIGERIA**  
**UNIVERSITY VILLAGE, PLOT 91, NNAMDI AZIKWE EXPRESSWAY**  
**JABI, ABUJA**  
**FACULTY OF LAW**  
**JULY 2017\_1 SEMESTER EXAMINATION**

**COURSE CODE: LAW 422**

**COURSE TITLE: LAND LAW II;**

**COURSE UNIT 4 UNITS**

**TIME ALLOWED: 2 ½ HOURS**

**INSTRUCTION: ANSWER QUESTION 1 AND ANY OTHER THREE (3). QUESTION ONE IS COMPULSORY AND CARRIES 25 MARKS. OTHER QUESTIONS CARRY 15 MARKS EACH.**

1. Osama is the owner of a large expanse of land at Kampe city. Osama was already planning to use the land to construct a big industry and has processed some bank loans at an interest. Unknown to him the said land is allegedly to have been compulsorily acquired by government by the revocation of the deemed grant of a right of occupancy earlier granted to Osama. The government wants to use the land to build a hospital and is relying on section 28 of the Land Use Act 1978. For about two years now the government has prevented Osama from using the land. Osama is contesting the revocation. Advise the parties.
2. Write notes on of the following;
  - (a) Distinction between grant of statutory and customary rights of occupancy under the Land Use Act.
  - (b) proprietary interest in land conferred on private individual under the land Use Act.
  - ©. The essentials of a valid lease.
3. River Kole is on the boundary between the towns of Sako and Denga. Denga town has no other source of drinking water and they are always complaining that due to the polluting activities of the Sako community the river is always contaminated before it gets to the Denga community. The Sako people discharge all manner of debris into the river. The Sako community insist that they have a right to use the water any how they wish. The two

communities are already at war. Critically examine the control and management of water pollution and advise the government.

4. (a) Distinction between tenancy in common and joint tenancy

4 (b). Discuss the mortgagee's right of foreclosure

5. Afe agreed in writing to permit Zachy to erect a boarding on the forecourt of a cottage and to allow him the use of a gable end of another house for a bill posting and advertising station at a yearly rent payable quarterly. After 8 months Afe wanted to use the forecourt but Zachy resisted the move arguing that Afe has no such right. Advise both parties.

5(b) In what ways can profit a prendre be extinguished?.

6. The rights of a Mortgagor under a Legal Mortgage provide sufficient protection for the borrower? Discuss.