

**QUESTION 11 THE ANSWER TO THIS QUESTION SHOULD GO IN BLUEBOOK  
IV OR IN EXAMPLIFY ANSWER SCREEN 11**

Annmarie was at her neighborhood's annual community pool party with her friend Kate when she accidentally sat on her sunglasses. Frustrated that her \$20 pharmacy sunglasses would not bend back properly, Annmarie threw the sunglasses towards the trash can, however, the sunglasses landed next to the trash can. Shortly thereafter, Annmarie turned to Kate and asked if she was ready to leave so that they could get out of the sun. Preoccupied in conversation, Kate forgot her brand new \$3,000 designer sunglasses on a table next to where they were sitting.

Later that evening, one of the neighborhood kids, Beth, noticed Annmarie's sunglasses next to the trash can, picked them up and took them home. Beth, being a creative design student, fixed the glasses, painted the sides and added jewels and other items to create more of a designer look. Beth then posted the glasses online for sale and sold them for \$2,000. Annmarie later found out about the sale and demanded that Beth either return the sunglasses or the sale proceeds to her immediately because they were her sunglasses. Beth refused.

Mary, another neighbor, picked up Kate's designer sunglasses towards the end of the pool party and gave the designer sunglasses to the HOA president. She asked if she could send out an email notification or letter informing their fellow neighbors about the sunglasses that were left behind. The very next day, the HOA president sent the following notice to each owner by first class mail along with its monthly newsletter.

Hello Neighbors!

A pair of sunglasses was found by the pool at the end of our pool party. We are holding the sunglasses at our office (ABC Drive, Bass City, Michigan). If the property is not claimed within four (4) months of the date of this letter, the property will be considered abandoned and disposed of pursuant to applicable law.

Best regards, HOA Property Management Staff

Four months later, knowing that no one had claimed the sunglasses, Mary decided that she would go pick them up from the office. The HOA office agreed that Mary could take the glasses. One month later, when Kate was visiting Annmarie, she came across

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the notice letter and was excited that someone found her glasses. She quickly went to the HOA office and demanded her glasses be returned to her. The HOA office informed her that Mary had the sunglasses. Kate immediately demanded the return of the sunglasses from Mary. Mary refused.

**Applying Michigan law, fully discuss:**

1. Whether Annmarie is entitled to the \$2,000 proceeds from the sale of the pharmacy sunglasses; and

2. Whether Kate is entitled to the return of the designer sunglasses.

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