

**BOWEN UNIVERSITY**  
(OF THE NIGERIAN BAPTIST CONVENTION)  
**IWO, OSUN STATE**  
**COLLEGE OF LAW**  
**2023/2024 SECOND SEMESTER EXAMINATION**  
**COURSE CODE: PCL 402**                      **COURSE TITLE: LAND LAW II**

**INSTRUCTIONS:**

ATTEMPT 4 QUESTIONS IN ALL, TWO QUESTIONS FROM EACH SECTION.  
EACH QUESTION ATTRACTS 17 ½ MARKS. TIME ALLOWED: 3 HOURS

**Section A**

1. Sola, a wealthy car dealer, imported the latest Range Rover Model, 2023 recently for sale. He has about ten (6) of these SUVs in his house, and he decided to block the fastest and only motorable way to the main road so as to prevent people from coming near his house. His fear is that robbers could possibly climb into his house. He has restricted other residents on his street from accessing the route, except members of his family on the ground that he owns the land. The affected parties have come to you for advice, knowing that you are a prospective lawyer.  
**Advise all parties on the legal option(s) available.**
2.
  - a. Charles approached Indemnity Bank PLC for a loan to boost his rice business situated in Iwo, Osun State of Nigeria. In a meeting with the Branch Manager of the Bank, Charles was told to provide collateral security in favour of the bank for a loan of N10million. Charles deposited his certificate of occupancy to the effect. The duration of the mortgage agreement is seven years. Charles has come to you as a lawyer to advise him on some issues. **What are the advantages of creating a legal mortgage?**
  - b. Femi, a law student, has informed Charles that he does not need Osun State Governor's consent in mortgaging his property evidenced by a certificate of occupancy and situated at Iwo. **Comment on the validity or otherwise of Femi's advice to Charles, citing statutory and judicial authority.**
  - c. Charles is worried that his bank manager could make his collateral security for the loan he obtained irredeemable. **Comment.**
  - d. Charles needs to know if he could pay up his bank loan within six months and redeem his title document on the legal due date. **Advise him.**
3. The Land Use Act 1978 has done so much good in land administration that was formerly uncoordinated and problematic before the enactment of the Act (then a decree). The Act has reorganized land administration and tenurial systems in Nigeria. **Discuss in the light of the major issues addressed by the Act and its objectives.**
4. a. Tade Thompson and Lade Shyllon are successful business partners in an unregistered business venture. They are interested in the exploitation of



natural minerals in the Oke Ogun area of Oyo State. Tade Thompson, who although an ex-convict, has been recognised in the society to be an astute businessman and a Philanthropist. They have approached you as a land law expert on what they need to do to be able to carry out the exploitation activities within the bounds of the law. With the aid of statutory authorities, advise them on the requirements for obtaining an Exploration Licence in Nigeria; the likelihood of being granted the licence, based on their background information, as well as the extent to which they could explore mineral resources if granted the license. (8½marks)

b. Write short notes on any **THREE** of the following:

- i. Reconnaissance permit;
- ii. Quarry lease;
- iii. The distinction between leasehold and freehold land tenure systems; and
- iv. The principle of derivation. (9 marks)

5. (a) Discuss the challenges relating to land title registration in Nigeria. (7 ½ marks)

(b) Comment on registrable instruments in Nigeria. (10 marks)

6. (a) Statutorily, all land in the urban areas of Nigeria are under the control and management of the Governor of each state while all other land shall be under the control and management of the Local Government within the area of jurisdiction of which the land is situated. To assist the Governor in the exercise of the powers vested on him by the Land Use Act, 1978, though in advisory capacity, the Act mandates the Governor to empanel a Land Use and Allocation Committee (LUAC). With the aid of judicial authorities, discuss the responsibilities and composition of the LUAC. (9½marks)

(b) List and discuss five importance of Agrarian Reforms in Nigeria. (8 marks)