

BOWEN UNIVERSITY, IWO, OSUN STATE
COLLEGE OF LAW
2022/2023 SECOND SEMESTER EXAMINATION
COURSE CODE: PIL 402 **COURSE TITLE: LAND LAW II**
ATTEMPT 4 QUESTIONS IN ALL, TWO QUESTIONS FROM EACH SECTION
EACH QUESTION ATTRACTS 17 ½ MARKS

SECTION A – Answer any two questions from this section

1. Gold and Isabel have been friends for many years. They have been spending their financial fortunes, marketing products on e-advert platforms. Due to downward trends in the Nigerian economy and falling demand in the market products, they have recently realised they need to invest on acquiring properties. They want to acquire properties that have Certificates of Occupancy (C of O). They have come to you as a land law expert for advice on the following:
 - a. Right of Occupancy which is often *evidenced* by C of O. (6 marks)
 - b. Procedures for revocation of the C of O. (6 marks)
 - c. Payment of compensation for revocation. (5 ½ marks)**Advise Gold and Isabel on the issues.**

2. “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 as a decree). The Act has reorganised land administration and tenurial systems in Nigeria.” **Discuss this in the light of the major issues addressed by the Act and its objectives**

3. . (a) Comment on Registrable instruments in Nigeria. (10 marks)
(b) Discuss the challenges relating to land title registration. (7 ½ marks)

SECTION B – Answer any two questions from this section

4. Susan is the estate owner in fee simple of Ohio Farms, which includes the farmhouse, cottage, paddock and a barn. Access to the cottage from the main road is by foot across Susan’s land. In 2010 Susan leased the cottage to Patrick by deed for a term of seven years. When Patrick bought his car in 2011, Susan allowed him to use the road leading to the farm house and to park his car in her barn. In 2017 Susan renewed Patrick’s lease for a further seven-year term. Susan has recently started to build a goat pen which will block the light in both the cottage and the shed in Patrick’s garden. Patrick is trying to prevent the building going ahead and in retaliation, Susan has told him that he cannot use the road nor park his car in her ban any more.
Advise Patrick of his rights.

5. Mr. and Mrs. Goodness took a mortgage on their house. The couple went into financial difficulties and were unable to make any payments towards the loan. Jackson, the mortgagee, is seeking possession of the property and is planning to sell the house to a friend for a price that is significantly under its market value.
Advise the couple on the rights they may have against Jackson.

6. (a) Graham is homeless and looking for shelter. He is offered a shelter by an NGO in one of their hostels in Iwo Town. Graham resided in the shelter for five years and was able to reside in the same room during that time. Following a change of the leadership of the NGO, the staff of the hostel told Graham he needs to move room, and they will be inspecting his room on a regular basis. Graham protests, insisting he has a right to live in that specific room.

Advise Graham. (6 marks)

- (b) Makinde lives on the top floor of a high-rise block of flats. His landlord is Abel Property Consultants. He recently discovered that the lift had stopped working. Abel Property Consultants said it was not their problem as they took ownership of the building some time ago and the fault with the lift is owing to the structure of the building.

Advise Makinde. (6 marks)

- (c) Affordable Homes desires to sell a lease over a property at Olupona. It found an interested buyer, Francis who is somewhat eccentric, and wants to impose a special conditions in the lease, that the lease should last "until such a time that a female will become the president of Nigeria". Affordable Homes is keen on selling the lease but is unsure of this clause.

Advise Affordable Homes and list the essential characteristics of a lease agreement. (5 ½ marks).