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**NATIONAL OPEN UNIVERSITY OF NIGERIA**

**14-16 AHMADU BELLO WAY, VICTORIA ISLAND LAGOS**

**SEPTEMBER/OCTOBER 2015 EXAMINATION**

**SCHOOL OF LAW**

**COURSE CODE: LAW 522**

**COURSE TITLE: Conveyancing Legal Drafting and 11**

**TIME ALLOWED: 21/2 HOURS**

**INSTRUCTION: ANSWER QUESTION AND ANY OTHER THREE (3) QUESTIONS. All questions carry 17.5 marks.**

1. Kehinde agreed to sell his plot of land at Yaba to Paul for a consideration of N6 Million. And Paul paid a deposit of 50% of the purchase price into kehinde’s account and on the agreement that the balance would be paid on or before the 27th day of April 2015. Kehinde issued a receipt to this effect to Paul. On the 25th of April Kehinde was approached by Emeka for the same plot of Land for N8, 000,000. Kehinde called Paul on the 26th of April to send his account details as he has sold the same land to Emeka for N8, 000,000.00.

Identify the legal issues and remedies available to Paul if any. (10 marks)

 1b. Despite the existence of freedom of contract, there are some terms or conditions if

inserted in a contract of sale of land that are void by statue discuss. (7.5 marks)

1. Tanya and Yeti acquire plots of land across the country under customary land tenure system. They have both approached you for legal advice. What statutory authorities must you avail yourself with in order to render a sound legal advice to them? (10 marks)
2. Discuss the operative part of a deed of assignment. (7.5 Marks)
3. When and why will you advise a conveyance to include the following clauses in a deed of assignment? (8.5marks)

i. Safe custody and acknowledgment for production

ii. Indemnity and

iii. Receipt

 b. Identify 4 ways of proving title in Nigeria. (9 Marks)

1. Differentiate the registration of title system from the system of registration of instruments. What is the implication of failure to register an instrument of transfer of land in Nigeria? (17.5 Marks)
2. Discuss using relevant authorities the creation of legal mortgage in Lagos, Western Region and Sokoto. . (17.5 Marks)
3. List circumstances under which a power of attorney cannot be revoked. (8.5marks)

Write notes of on the following;

1. Equity of Redemption and Equitable Right to Redeem (4marks)
2. Court Jurisdiction to order sale (2.5 Marks)
3. Mortgages created by sub-demise(2.5marks)