



NATIONAL OPEN UNIVERSITY OF NIGERIA
Plot 91, Cadastral Zone, Nnamdi Azikiwe Express Way, Jabi – Abuja
FACULTY OF LAW
DEPARTMENT OF PRIVATE AND PROPERTY LAW
2020_1 EXAMINATION

COURSE CODE: PPL422

COURSE TITLE: LAND LAW II

COURSE UNIT: 4

TIME ALLOWED: 2 ½ hrs

INSTRUCTION: Answer Question One (1) and any 3. Question one is compulsory and carries Twenty-five (25) Marks, while other Questions carry Fifteen (15) Marks each.

1. With the aid of relevant authorities, critique the following notice to quit and advise on its suitability as a basis for recovery of premises. **25 marks in all.**

From:
Juris Excelsior Chambers
Okunajah Waterfront,
(Landlady)
Ibadan
October 10 in the Year of Our Lord, 2019

To:
Mr. Samuel Adetola
Yearly Tenant to Madam Cash

2 Bedroom Flats Block
Cash Villa, Jericho, Ibadan

Dear Sir or Madam,

YOUR TIME IS UP!

I, Barr. Excelsior as a BARRISTER AND SOLICITOR OF THE SUPREME COURT OF NIGERIA and MINISTER IN THE TEMPLE OF JUSTICE hereby notify, inform, advise and adumbrate you that you are to quit Madam Cash's flat that you have been renting since 2009.

- a. You are to leave the house on or before the 31st day of October 2019 – no excuses!
- b. You are to leave because you have been a disloyal tenant to Madam Cash. After all that she has done for you, you still buy all your provisions from her enemy – Mr. Obi when you know that Mr. Obi has tried several times to break Madam Cash's destiny. That is unacceptable to my Client!
- c. If you refuse to leave, then GET READY FOR WAR!
- d. If you ask me, my advice to you is to go and beg Madam Cash. You know how merciful she can be. Maybe she will allow you to stay till Christmas.
- e. Make sure 5.00pm does not meet you in the premises. My office closes at 6.00pm and I want to get this over and done with before I leave.

SWORN TO AT THE HIGH COURT REGISTRY, IBADAN, THIS 10TH DAY OF OCTOBER 2019. BEFORE ME – LEXIS NEXT ESQ., COMMISSIONER FOR OATHS

2. Ada holds a statutory right of occupancy over a plot of land in Epe, Lagos State. She alienated the land to Matthew for 40 years commencing on 1st January 1980. In 2005, she entered into a verbal agreement to convey the land to Akanbi for 25 years after the expiration of Matthew's term.
 - a. Discuss
 - i. Matthew's relationship with Ada and when that relationship will come to an end (if you think it will)
 - ii. Akanbi's relationship with Ada and the particular classification of the interest conveyed.
 - iii. The requirement of Section 23(1) of the Land Use Act should Matthew seek to convey part of his interest to a third party. **15 marks in all**
3. Discuss the legal issues in the following scenarios: **15 marks in all**
 - a. Osas agreed to lease her plot of land to Jite for 7 years. Rent was fixed at N7 million payable in yearly yearly tranches of N1million. Jite took possession of the land and paid his rent religiously for 3 years. On the fourth year, he refused to pay, stating that his law student wife had advised him that there was no legal relationship in existence since the agreement with Osas was never put in writing.
 - b. Olu, a civil servant lived in the Government staff quarters on payment of moderate rent. In 2017, following his promotion to the position of Government Vicar, he was offered free accommodation in the Vicarage but he chose to remain at the staff quarters and stopped paying rent On Easter Day, Olu offered the communion cup to his wife before the First Lady. The First Lady had Olu removed as Vicar and ejected from the staff quarters.
4. Donald was invited to speak at Microsoft Charity Dinner. He was given one complimentary ticket which he gave his mistress, Stormie. Meanwhile his son, Junior donated N2 million and was given a ticket. Though the ticket stated that '**Card admits 1 guest only**' he was allowed to attend with his mother. At the dinner, Donald invited Stormie to sit beside him to Junior and his mother's annoyance. To prevent further embarrassment, the organisers walked Junior, his mother and Stormie out of the premises. Advise them on their contractual rights and any remedies. **15 marks in all**
5. Momodu let out his bungalow to Habiba for one year renewable annually. Habiba discovered that the house was infested with cockroaches with faulty drainage. Momodu erected a mosque by the fence blocking air and light from Habiba's window. Five times a day, he broadcasts the call to prayer with loud speakers. Habiba complained but no action was taken. Habiba has refused to pay the electricity bill

until Momodu fumigates the house and repairs the drainage. Advise her. **15 marks in all**

6. Akanbi the fish farmer has been elected President of Nigeria and wishes to expand his business. He has written letters to Commissioners for Lands in all the 36 states in Nigeria informing them of his revocation of title to 500 hectares of land in each state. They are further instructed to release the said land with immediate effect. Advise Akanbi. **15 marks in all**