

Questions 1 – One Hour

Attorney was hired to locate and secure a residential piece of property for her private client who was out of the country. Said property was located in a gated community of largely undeveloped lots. Attorney completes the transaction. A title report disclosed nothing of noteworthiness. The escrow closed and now five years later owner wants to build his two story house. Neighbors have told him there are CC&Rs that restrict heights. He has personally reviewed the deed and in the chain of title there is no mention of any CC&R's. Also in his deed there is no mention of any easements that would allow owner access to his property.

Identify and explain the legal issues presented.

Questions 2 – One Hour

As a deputy city attorney you have been requested to prepare a brief for the city council concerning their plan to acquire the local AT&T building (funds in the amount of 3 million dollars having been dedicated for this purpose) once acquired the building will be resold immediately to a private developer for one dollar. One councilman is concerned about the agreement AT&T entered into with the adjoining property owner --the local movie theater that allows the theater operator to use the outside of the AT&T building for advertising via laser lights. Many neighbors have complained about this.

Identify and explain the legal issues presented.