

**\*\*\* EXAMINATION \*\*\***

**TRANSFER OF REAL PROPERTY**

**1. A deed:**

- a) is a written instrument passing title to or an interest in land
- b) can convey a present estate or interest
- c) may defer possession until a later date
- d) All of the above

**2. A writing executed in the form of a deed that**

- a) takes effect upon death is a testament
- b) takes effect upon death is a will
- c) takes effect upon death is an appurtenance
- d) takes effect upon death is an estate

**3. A security deed differs from a mortgage:**

- a) because a mortgage does not convey title
- b) because there is more than two parties
- c) there is no money exchanging hands
- d) None of the above

**4. A sales contract is also known as:**

- a) a mortgage bond
- b) a promissory note
- c) a bond for title
- d) Any of the above

**5. A lease transfers:**

- a) title
- b) possession
- c) a mortgage
- d) a lien

**6. The cardinal rule of construction for a deed is:**

- a) ascertain the intention of the parties
- b) list all lien holders
- c) show the date of transfer
- d) All of the above

7. **Various types of deeds include:**
- a) warranty
  - b) voluntary
  - c) executor's
  - d) All of the above
8. **A warranty deed:**
- a) is guaranteed by the grantor
  - b) is guaranteed by the previous grantor
  - c) is guaranteed by the title company
  - d) is guaranteed by the title company and the surveyor
9. **A specialty warranty deed:**
- a) includes the purchaser's financier as guaranteeing the deed
  - b) increases the liability of the seller
  - c) decreases the liability of the seller
  - d) Both a and b
10. **A quitclaim deed:**
- a) reverts ownership to the grantor if defective
  - b) contains no warranty
  - c) contains specific warranties
  - d) lists parties responsible for guaranteeing the deed
11. **Fiduciary deeds include deeds of:**
- a) guardians
  - b) attorneys of fact
  - c) trustees
  - d) Any of the above
12. **The use of transfers:**
- a) is not considered good title practice
  - b) will always help clarify the contents of the deed
  - c) are not binding on the parties
  - d) All of the above
13. **The parts of a deed include:**
- a) caption and premises
  - b) granting clause and description
  - c) habendum, warranty, and testimonium
  - d) All of the above
14. **The premises include:**
- a) the parties to the deed
  - b) the date of execution
  - c) the property description
  - d) All of the above

15. **The final paragraph of the deed is called the:**
- a) codicil
  - b) closing statement
  - c) testimonium
  - d) the ending statement
16. **A valid deed in writing and containing the signature of the grantor:**
- a) must be notarized by a title company
  - b) must be delivered to the grantee
  - c) must be certified by the land surveyor
  - d) must be agreed to by the mortgage company
17. **Delivery of the deed:**
- a) must be made by hand
  - b) may not be made by mail
  - c) may not be made by the title company
  - d) None of the above
18. **Constructive notice of the signing of the deed:**
- a) is made by recording as a public document
  - b) can be made by a telephone call to the grantee
  - c) can be made verbally to a title company officer
  - d) Any of the above
19. **A deed lying in two counties should be recorded:**
- a) in the county containing the larger deed area
  - b) at the Secretary of State
  - c) in both counties
  - d) in the state land office
20. **The grantor's index in the county clerk's office may also be known**
- a) as the indirect index
  - b) as the direct index
  - c) as the reverse index
  - d) as the seller's index
21. **A will:**
- a) is a legal declaration
  - b) is probated after the death of the person
  - c) lists the method of disposition of his property
  - d) All of the above
22. **A person without a will dies:**
- a) intestate
  - b) and loses his estate to the state
  - c) probate
  - d) inherit

23. **An administrator of an estate:**
- a) pays debts
  - b) collects all assets of the deceased
  - c) has the power to sell assets to pay claims
  - d) All of the above
24. **Copies of the original land grants in Georgia are located at:**
- a) the Georgia Historical Society in Atlanta
  - b) the surveyor general records of the Georgia Department of Archives
  - c) the Georgia Department of Economic Development
  - d) the Georgia Department of Tourism
25. **Eminent domain is:**
- a) a public agency's right to appropriate private property for public use
  - b) the right of prescription
  - c) similar to adverse possession
  - d) creates a clouded title
26. **A public agency acquires property through eminent domain by:**
- a) adjudication
  - b) estate
  - c) condemnation
  - d) None of the above
27. **Dedication of land may be made by:**
- a) the state
  - b) the owner
  - c) the county
  - d) the city
28. **Land may be dedicated for:**
- a) streets
  - b) alleys
  - c) sidewalks
  - d) Any of the above
29. **An owner wanting to sell the right-of-way in his deed may:**
- a) sell it by a quit-claim deed to the county
  - b) dedicate it
  - c) condemn it
  - d) declare the right-of-way an easement and record it as such.
30. **The following acts constitute actual and notorious adverse possession:**
- a) occasional cutting of timber
  - b) construction of a building over the property line
  - c) unfenced grazing of livestock
  - d) infrequent acts of trespass

31. **An example of color of title include:**
- a) recorded easements
  - b) recorded building set-back lines
  - c) recorded deed by non-owners
  - d) All of the above
32. **An adjoining owner who has permission to drive across your property may:**
- a) claim that property by adverse possession
  - b) condemn that property for right-of-way purposes
  - c) record notice of a right-of-way easement
  - d) None of the above
33. **Adverse possession must be:**
- a) open and notorious
  - b) continuous
  - c) not originated by fraud
  - d) All of the above
34. **Adverse possession may run against:**
- a) a private landowner
  - b) the state
  - c) the city
  - d) the county
35. **A surveyor's duty with respect to adverse possession:**
- a) include preparing boundary agreements
  - b) include showing possession and encroachments on his plat
  - c) include offering legal advice
  - d) include making adverse claims against the state
36. **Judicial sales include:**
- a) personal property in bankruptcy proceedings
  - b) foreclosure of trust deeds
  - c) enforcement of liens
  - d) All of the above
37. **Accretion is:**
- a) the removal of water frontage by construction
  - b) the addition of water frontage by construction
  - c) the gradual addition of riparian land by the washing of sand
  - d) None of the above
38. **When avulsion takes place,**
- a) there is a sudden change in the riparian land
  - b) there is a minor change in the riparian land
  - c) the riparian owner gains the land created by avulsion
  - d) the riparian owner loses the land lost by avulsion

39. **Escheat is:**

- a) an obsolete method of transferring title
- b) a method of obtaining land by the state
- c) reverts state lands to the federal government
- d) reverts federal lands to the state government

40. **International law recognizes the right of ownership by:**

- a) cession
- b) discovery
- c) conquest
- d) All of the above



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**Name** \_\_\_\_\_

**Company** \_\_\_\_\_

**Address** \_\_\_\_\_

**City** \_\_\_\_\_ **State** \_\_\_\_\_ **Zip** \_\_\_\_\_

**Telephone** \_\_\_\_\_ **E-Mail** \_\_\_\_\_

**Fax** \_\_\_\_\_  **24-Hour Fax**

**Yes**  **No**     **If fax and telephone are the same number, shall we call first?**

**Mail certificates to** above address \_\_\_\_\_ **check address** \_\_\_\_\_ **envelope address** \_\_\_\_\_

**State + Specialty + PE Registration number (i.e. TX EE 12389)** \_\_\_\_\_

**State + Professional Land Surveying registration number** \_\_\_\_\_

**NC (North Carolina) + Specialty + PE Registration number** \_\_\_\_\_

**NC (North Carolina) + Land Surveying Registration Number** \_\_\_\_\_

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